

A B R I E F

21.

# HISTORY

OF THE

# L I F E

O F

Mary Queen of Scots,

A N D

The Occasions that brought Her, and *Thomas* Duke of  
*Norfolk*, to their Tragical Ends.

Shewing the hopes the *Papists* then had of a *Popish Successor*  
in *England*; and their *Plots* to accomplish them.

With a full ACCOUNT of the

# T R Y A L S

Of that QUEEN, and of the said DUKE.

As also the TRIAL of *PHILIP HOWARD*, Earl of *Arundel*.

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From the Papers of a Secretary of Sir *Francis Walsingham*.

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*Now Published by a Person of Quality.*

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L O N D O N:

Printed for *Tho. Cockerill*, at the Sign of the *Three Legs* in the *Poultry* over-  
against the *Stocks-Market*. 1681.

# HISTORY

## LIFE

### MARY QUEEN OF SCOTS

The Gentleman who brought her to this  
to her Majesty's service  
Sheweth the manner the Papers thereof  
in England, and their Place accordingly

## T R A C E

Of the QUEEN, and of the RIBBON

As also the TRAIL of RICHARD HOWARD, Lord of Arundel

From the Papers of a Secretary of Sir Francis Walsingham

Now Published by a Person of Quality

L O N D O N

Printed for Tho. C. Ball at the Sign of the Three Legs in the Strand  
against the Old Palace, 1687



*A Preface to the following Tryals; giving a brief Hystorical Account of the Life of Mary Queen of Scots, and the occasions that brought both Her, and the Duke of Norfolk, to their Tragical Ends, and the Earl of Arundel to his Trial, &c.*

**I**T may seem strange or unseasonable, while the Press labours daily with the present Popish Plot, to trouble the world with that which concerns only Those, that so long ago are past and gone: But as there are too many amongst us, that question the Reality of the present Conspiracy; so there are not a few that deny the Truth of those heretofore. Or if they acknowledge any thing either of the Powder-Treason, or Babingtons Conspiracy, they extenuate the same almost to nothing, by alledging, that they were attempted by a few Private High-Spirited Gentlemen, extreamly provoked with great Injuries and bitter usage; which were the only causes of their desperate Resolutions, for which they themselves sufficiently suffered; and that therefore their Treasons are no more to be filed to the Account of their Church, &c. But by the following papers, I conceive these Evasions will be silenced, for thereby it will appear,

1. That there was during a great part of Queen Elizabeths Reign a continued Series of Popish Treasons successively, (though God be blessed unsuccessfully) carried on, and that not by a few Desperado's, but by a great number of persons of the most considerable Fortunes and Abilities of the Roman Catholick Religion.

2ly. That the main intente and scope of the said Conspirators, as every where they declare, was to root out Protestantism, and set up Popery, unto which Attempts they were chiefly animated by the prospect of an immediate Popish Successor, viz. the said Mary Queen of Scots.

3ly. That the Papiſts then were to make use of the same Umbrage, as now they do, viz. to raise Lyes and Slanders of the Puritans, and pretend that they designed Rebellion, only to colour their own real Treasons, as appears by the Queen of Scots Letter to Babington.

4ly. That these fatal Councils of the Guises and Popish Priests, brought that great Princess (who had the misfortune to be led by them) to Ruine; so that by endeavouring to anticipate the Succession, she not only lost it, but also her Life.

These and several other Remarkables, which no doubt the Judicious Reader will observe in the perusal, occasioned the publication of the ensuing papers at this time; 'Tis confessed, the same are not so exactly taken, as the Tryals of the present Age; The Ingenious Skill of Speedy and short writing being much improved since those times; yet it is evident by the Manuscript, that there was no little care and diligence used therein, so that nothing material seems to have escaped, nor do any Historians give so punctual an Ac-

count of the *Transactions* as these papers, which before never saw the Lights concerning the *Authentickness* and *Truth* of which, the Antientness of the hand-writing of the *Original*, might be a sufficient Testimony, had we not another more probable Argument; which is, That they were lately found amongst some *Ancient papers* that heretofore belonged to a *Secretary* of Sir *Francis Walsingham*, an eminent Minister of State at that juncture; For whose use 'tis very credible the same were so curiously collected. Besides, If any shall be beat the pains to examine them, they will find them to agree in the main with the Histories of those times, not only with the Learned *Cambden*, and the rest of our own Writers, but with the Great *Thaunus*, nay with the Jesuit *Strada* too.

But for the satisfaction of those Readers that are not so conversant in History, that they may the better understand what they meet with in these Tryals: we conceive it will not be unwelcome to prefix a brief Account of the *Life* and unhappy *Fortunes* of the Illustrious *Mary* of *Scotland*, on whose Adventures all these prosecutions did depend; wherein we shall impartially state matter of Fact without the Reflections of *Buchanan*, or intollerable flatteries of *Causin* the Jesuit.

*Mary Queen of Scots*, was the daughter, and sole Legitimate Issue of *James* the fifth, King of *Scotland*, and of *Mary* his Queen (a daughter of the house of *Lorrain*) born in *December*, 1541. she was scarce eight dayes old, when the King her Father dyed, and the Scottish Nobility being divided into Factions, (whereof the Family of the *Hamiltons*, and the Earl of *Lenox*, were the respective Heads; The one side supported by King *Henry* the eighth of *England*, and the other by the *French King Henry* the second) she was by her Mother (who being a *French-woman*, inclined unto that Kings Interest) sent into *France* about five or six years of Age, to learn the Accomplishments of that Court.

There she was educated under the *French King*, and the house of *Guise*, her Uncles, who being desperate Enemies to the Reformation, seasoned her with violent principles against the *Protestant Religion*; she was a Lady very proper and beautiful, of a great Wit and Courage beyond her Sex. These Advantages, and much more several important *Reasons of State*, induced the *French King* to conclude her a fit Match for his Son the *Dauphin*: For hereby they thought themselves not only sure to unite the Kingdoms of *France* and *Scotland*, (she being Sovereign Queen of the latter, as he was Heir apparent to the former) but also had a prospect of the *Crown of England*, looking upon this *Mary of Scotland*, (as Great Grand-child to King *Henry* the seventh; to be the next Heiress thereunto after *Mary*, who had by this time mounted the *English Throne*; For as for her sister *Elizabeth*, they not only knew her to be one they called an *Heretick*, but also gave out, she was *Illegitimate*, and so on both Accounts represented her as incapable to succeed. Hereupon a Marriage was solemnized between the *Dauphin* and this Princess, *Apr. 24th. 1588. in Nostredam Church at Paris.*

On the 27th of *November* following, Queen *Mary* of *England*, after a short Reign (rendred infamous to all Posterity, by the Butcheries committed on *Protestants*;) departed this Life; And though *Elizabeth* according to her undoubted Right, was with the general consent and applause of the Lords, Commons, and all the people proclaimed Queen, and most happily succeeded her in the Throne: yet had the *Guises* inveigled the *French-King* into such strong hopes of adjoyning *England* to the Crown of *France* by the aforesaid Title of their Niece the Queen of *Scots*, that he openly own'd the

the claim thereof, so that thenceforwards his *Son and Daughter in Law* used the stile in all their Acts of State, *Francis and Mary of Scotland, England and Ireland, King and Queen*; and caused the Arms of England to be Engraven and Painted on their Palaces, Householdstuff, and Herald's Coats. And the said King *Henry* dying shortly after, this *Francis*, who succeeded him by the name of *Francis the Second*, and *Mary Queen of Scots* (by the Council of the said *Guises*, who bore great sway in *France*) publickly assumed to themselves the *Soveraignty of England and Scotland*, as well as that of *France and Scotland*; pretending to *Queen Elizabeth's* Ambassador, who complained thereof sometime, that the *Queen of Scots* bore the Arms of England only to shew the nearness of her Blood to that Royal Line; and sometimes, that she did it only to cause the *Queen of England* to forbear bearing those of *France*.

Much dispute there was about this matter, which *Queen Elizabeth*, as she had reason, resented very grievously; But at last in the Year 1560. upon a Treaty at *Edenborough*, It was amongst other matters agreed, that the *French King*, and his Wife *Queen Mary*, should henceforwards relinquish the Title and Arms of England and Ireland. But when the same came to be confirm'd in *France*, they sought Evasions, and delay'd so long, that in the interim *King Francis the Second*, not being Eighteen years old, dyed, and left the *Queen of Scots* a Widow of Nineteen, who thereupon resolv'd to leave *France*, and to return to her own Kingdom of *Scotland*.

But *Throgmorton*, *Queen Elizabeth's* Ambassador, before she went, earnestly press'd her to confirm the said Treaty of *Edenborough*, which she refused, alledging, she must first consult with the Nobility of *Scotland*: This refusal so nettled *Queen Elizabeth*, that she refused to grant her a safe Conduct for her passage: However, taking the opportunity of a Fog, she set sail from *Callice*, and passing the Channel, arrived safely in *Scotland*: From thence she sent Letters to *Queen Elizabeth*, promising all care to make and conserve Amity with her; and requesting that a lasting Peace might be made between the two Crowns. And in order thereunto desired, that *Queen Elizabeth* would in Parliament declare her her next Heir, if she her self should have no issue.

This proposition startled *Queen Elizabeth*, who rather look't for the confirmation of the Treaty of *Edenborough*, which she had so often promised; and therefore return'd Answer in these words, *That as concerning the Succession, she hoped the Queen of Scotland would not by violence take away her Crown from her, and her Children, if she had any: She promised not to derogate any thing of her right unto the Crown of England, although she had claimed the Title and Arms of England thorough the too much hasty ambition of other men; for which injury it was meet that she made satisfaction. By setting down her Successor, she feared lest their friendship should be rather disaffected than consolidated; for that unto men established in Government, their Successors are alwaies suspected and hated: the people, such is their inconstancy upon a dislike of present things, do look after the rising Sun, and forsake the Sun setting; and the Successors designed cannot keep within the bounds of Justice and Truth, their own hopes, and other mens lewd desires. Moreover, if she should confirm the Succession unto her, she should thereby cut off the hope of her own security, and being alive, hang her Winding-sheet before her own eyes; yea, make her own Funeral-feast alive, and see the same.*



But this Remonstrance took but little effect, and therefore sometime afterwards an *Interview* was projected to be had between the two Queens, but after a long Treaty, relinquish't; the *Scottish* Queen refusing it, unless Queen *Elizabeth* would adopt her her Daughter, or declare her her Heir apparent by Authority of Parliament. This Queen *Elizabeth* would not consent to: but advis'd her to a Marriage with *Robert Dudely* (who thereupon was made Earl of *Leicester*) which Alliance the *French* rail'd upon as dishonourable; and as for her matching with any *Forrein* Prince, the Earl of *Murray*, natural Brother to the *Scots* Queen, diverted her from it, and propos'd to her *Henry* Lord *Darnly*, Son to the Earl of *Lenox*, whereunto both *Love* and *Policy* seem'd to give their suffrages; for as he was one of the most proper and goodly young Gentlemen in the world, so likewise was he next Heir after her to the Imperial Crown of *England*; so that she might at once gratifie her *Fancy*, and fortifie her *Title*.

This Noble-man was born, and at this time resided in *England*, the Earl his Father having upon the troubles in *Scotland* retreated thither in King *Henry* the Eighth's time: And upon the first return of Queen *Mary* into *Scotland*, Queen *Elizabeth* had confin'd both Father and Son for holding correspondence with her. But after some time, first the Father, and afterwards the Son, on several specious pretences, got leave to go into *Scotland*, promising to return within such a Term.

Being there, a Marriage was quickly concluded and solemnized between the Queen and this young Lord, at which Queen *Elizabeth* appear'd much dissatisfied; nor did their *Nuptial Joys* remain long un-eclips'd, but discontents (which as easily climb to the glorious beds of Princes, as to the homely pallets of Peasants) arose between them; whether it were, that he thought he had not enough, or took upon him too much share in the Government, or on some more private disgust, I determine not, being unwilling to follow the reports of those prejudic'd Authors who have sullied this great Princesses Fame, when the respect due to the Honour of Ladies, especially the Majesty of a Crowned Head, ought to have taught them more modesty. From what ever ground these animosities sprung, they soon grew to such an unhappy height, that one Evening the King attended with several others, rush't into the Queens Apartment, as she was at Supper, and seizing upon one *David Rixius* (a Native of *Piemont*, by profession a Musitian, but for his Wit and Dexterity receiv'd into great favour with the Queen, and made a kind of Secretary) they assaulted him with their naked Swords; and dragging him to the door, gave him several mortal wounds, whereof he instantly died. The Queen was then great with Child of him who was afterwards *James* the 1<sup>st</sup>, Monarch of Great Britain: And though Providence was pleas'd to prevent her Miscarriage, yet the sight of so dismal a Tragedy could not but surprize her with wonderfull astonishment, insomuch that some Philosophers will needs have it, that King *James* retain'd an aversion to the sight of naked Weapons, and attribute the same to the impressions of this unparell'd violence.

Of which the King ('tis said) soon repented, and craved the Queens pardon, charging *Murray* and *Morton* as the persons that instigated him thereunto. But the King himself did not long survive this Assassination; for within a month or two after, he himself in a tempestuous night was strangled in his bed, and then his body cast forth into a Garden: Who were the Contrivers and Actors of his murder, must perhaps remain a secret till the Universal Assizes shall disclose all the wicked Policies of the world



in their naked undisguised reality ; Common Fame laid it upon the Earl of *Murray*, base Brother to the Queen, a man *subtil* and ambitious ; and *Morton*, a great stickler in those times, and other their Confederates. But they on the contrary charg'd it upon the Queen, though without convincing proofs. *Thuanus* L. 40. *Ad finem anni* 1566, speaks as if the Popes fingers were not altogether free from the stains of this Princes Blood ; for says he—*Ad hæc, Pontificis, & ut passim jactabatur Caroli Lotaringi Cardinalis Literis Incitabantur, nam cum per eum à Pontifice petissent pecuniam ad Instaurandam majorem Religionem, Responsum fuerat, frustra ipsos Conari, nisi sublati iis per quos stabat, ne res exitum sortiretur: They were hereunto excited (as was commonly reported) by the Letters of the Pope, and the Cardinal of Lorain ; for when by him they desired money of the Pope to re-establish the old Roman Religion, 'twas answered, that their endeavours were vain, unless those were taken off through whose default it was that the thing was not already accomplish'd*—perhaps his Holiness did not esteem the Lord Darnly, then King, to be fierce and active enough for the business, for he is noted to be a man of a soft temper, Gay and Amorous, not addicted to War, nor Master of any extraordinary Politicks.

This is certain, that soon after her Majesty was advised again to Marry, and *James Hepburn*, Earl of *Bothwell*, being then much in her favour, and eminent for his Valour, was recommended ( 'tis said, designedly by *Murray* and his party ) as a person most fit for her acceptance ; and though he were more than suspected to be concern'd in the murder, yet being thereof in a pretended Legal manner acquitted, and having obtain'd for that purpose a Divorce from his former Wife, the Queen was prevail'd with to accept him for her Husband, not without the consent of many of the Nobility.

This caused a suspicion in many, that she was conscious to the murder (which most Historians represent as the chief design of the Conspirators in promoting of that unhappy Match) ; and these suspicions were so far improv'd, that quickly after Arms were raised on that pretence, and *Bothwell* forc'd to fly, and the Queen her self seized, and made Prisoner in *Lechlevyn* under the custody of *Murray's* Mother, formerly a Mistress to *James the 5th*, where threatening to prosecute her for Incontinency, and for the Kings murder, and for Tyranny, &c. they at last wrought so far upon her, as to compel her to resign her Kingdom to her Son, then scarce Thirteen months old, and to appoint *Murray* Regent during his Minority. But after Eleven months Confinement, she made her escape, and declaring, that these Concessions were extorted by Duress, and just fear, raised an Army of 7000 men, which were defeated by *Murray*, and the Queen forced to save her self by a flight of 60 Miles in one day to the house of the Lord *Heris*, where despairing of safety, and promising her self better entertainment from Queen *Elizabeth*, than from her own Subjects, she from thence in a small Bark, and with few friends, put to Sea, and Landed at *Wickington* in *Cumberland*, May the 17th, 1568. and immediately dispatch't Letters to the Queen of *England*, desiring to be conducted to her presence ; who in Answer, promised her assistance according to the Equity of her Cause ; but denied her Access, for that she was held guilty of many Crimes, and ordered her to be conveyed to *Carlisle*, as a place of safety ; withal, writing to the Regent of *Scotland*, that he should come in Person, or by sufficient Deputies, to answer the Queen of *Scots* complaint against him and his accomplices, and render sufficient reasons for deposing her, or otherwise

she would espouse her cause, and with all the force she could make, endeavour to resettlement her in her Kingdom. Whereupon *Murray* with seven more met at *Tork* several Noblemen commissioned by Queen *Elizabeth* to hear and treat of the matter; amongst whom, *Thomas Howard* Duke of *Norfolk* was the chief; and likewise the Bishop of *Rosse*, and others impow'ed by the *Scottish* Queen, did there attend: but after a long Treaty they broke up, and nothing was concluded.

At this Treaty a proposal was secretly made (some say by *Murray*, others by the Bishop of *Rosse*) to the Duke of *Norfolk* to marry the Queen of *Scots*, which proved fatal to him, as you will find by the following papers, containing his Tryal and Condemnation for the same. And also it was given out, that he had passed away her Right to the Crown of *England* to a Foreigner, and that the same was ratified at *Rome*; and Letters shewn, wherein she accused *Q. Eliz.* for not performing her promises to her; and boasted of Succors she expected from others; which was confirmed by a discovery made, That one *Ridolph* a *Florentine* Merchant was employed by *Pius* the fifth the then Pope, to make a secret Commotion of *Papists* in *England*, in her favour: Whereupon she was removed to a place of greater security.

In the mean time Queen *Eliz.* had notice of the Intrigue between her and *Norfolk*, upon which He was question'd; but promising to desist, and seeming to slight that Alliance, was dismissed: But presently a Rebellion was raised in the North by the Earls of *Northumberland* and *Westmorland*, instigated by one *Nicholas Morton*, a Popish Priest sent over by the Pope to pronounce *Q. Eliz.* an Heretick, and to have lost on that account all right and sovereignty. And these Popish Rebels proceeded to that outrage, that at *Durham* they tore in pieces all the Bibles they could meet with. But finding themselves too weak to withstand the Forces raised against them, fled without fighting; the first being betray'd in *Scotland*, sent into *England*, and beheaded at *Tork*, and the other died abroad miserably. About the same time *Murray*, Regent of *Scotland*, upon a private Grudge, was shot, as he rid along the street, by one *Hamilton*, and the Regency was conferr'd upon *Matthew* Earl of *Lenox*, the young Kings Grandfather, he being Father to the late murder'd King, before his Marriage with the Queen, stiled the Lord *Darnly*.

Both the *French* and *Spanish* Kings were now urgent with Queen *Elizabeth* for the Queen of *Scots* liberty; who made answer, That as she would omit nothing that might serve for the reconciling the said Queen and her subjects; so she must have leave to provide for her own and her peoples safety, as Nature, Reason, and her own Honour required. Whereupon finding those Foreign applications ineffectual, Domestic Plots were set on foot to effect it by force; and amongst the rest, some eminent persons undertook it; but being discovered, were soon apprehended, and some of the Conspirators executed.

Nor was it long, but the Duke being found by intercepted Letters (notwithstanding his aforesaid promises) still to continue his affection to, and correspondence with the *Scottish* Queen, was brought to his Trial (here printed), and for the Crimes therein specified condemned and beheaded.

Some few days after his Execution, *William* Lord *de la Ware* and others were sent to the Queen of *Scots* (who was then full of grief and sorrow for his death; owning that a contract of Marriage had passed between him and her) to expostulate with her, and charge her with divers matters; as that

that she had usurp'd the *Title and Arms* of the Realm of *England*, and had not renounced the same, as she ought to have done by the Treaty of *Edenborough*: that she had sought to *Marry* with the Duke of *Norfolk* (a Subject of *England*) without the Queens privy; and to effect the same Marriage, had tried all means by her Agents and Ministers, to *rescue* the said Duke out of Prison by force: that she had raised the Rebellion in the *North*, and *relieved* the Rebels (after they were put to flight) in *Scotland*, and the *Low-Countries*: that she had by *Ridolph* the *Italian*, importun'd both the Pope and the King of *Spain*, and others, for *Forrein Forces* to invade *England*: that she had conspired with several *English Subjects* to take her out of Prison by force, and proclaim her *Queen of England*: that she had received Letters from the Pope, whereto (to use his own words) he promised to cherish her *as the Hen doth her Chickens*, and to account those that stood for her, the *true Children of the Church*. Lastly, that she had procured the *Popes Bull* against the Queen, and had suffered her self publickly to be stiled *Queen of England* by her Ministers in *Forrein Courts*.

Whereunto protesting, *First*, That she was a free absolute Queen, and subject to none, she with a settled countenance and courage answered:

1. That she had not usurped the *Title and Arms* of *England*, but that the King of *France*, and her Husband, had *imposed* them upon her, being very young, and under the direction of her Husband, and therefore not to be laid upon her for a fault: and that as she did not after her Husband's death, so neither would she claim them as long as *Queen Elizabeth*, or any Children she might have, should live.

2. That she never imagined any detriment or hurt to the Queen by her Marriage with the Duke of *Norfolk*, being perswaded it would be for the good of the Common-wealth; and that she did not renounce it, because she had given her Faith and Troth unto him.

3. That she willed the Duke by some means to get out of danger and Prison, which she did out of the duty she owed to him as her Husband.

4. That she had not raised rebellion, nor was privy to the same, but was always ready to reveal all attempts against the Queens life.

5. That she never relieved the *English Rebels*, only that in her Letters she recommended the Countess of *Northumberland* to the Duke of *Alva*.

6. That she used *Ridolph* (whom she knew to be highly in the Popes favour) in many matters, yet receiv'd no Letters from him.

7. That she never moved any to attempt her deliverance; yet that she willingly gave ear unto them that offered their labour therein; and for that purpose, that she communicated to *Rolfon* and *Hall* a private Character.

8. That she had receiv'd sometimes Letters from the Pope, very pious and consolatory, wherein were no such Expressions or Phrases.

9. That she procured not the *Bull*; that she only saw the Printed Copy thereof, and when she had read it, she threw it into the fire.

10. That if any in *Forrein* parts writ, or nam'd her otherwise than they ought, they, and not she were to answer it.

11. That she never by Letters required aid of the *Pope*, or the King of *Spain* to invade *England*, but only to be restored into her Kingdom by their means, and not without the Queens privy.



12 But if any question or doubt be made of those Letters of effecting the Marriage by force of Arms, she requested (since she was born of the Royal Blood of England) that she might answer Personally in the next Parliament.

How far these specious Allegations were credited by Queen Elizabeth, we find not ; 'tis certain they produc'd little effect towards her delivery. But on the contrary, it being about the same time discovered that she held Correspondence with Spain, and that the Lord Seton who landed in Essex disguised like a Mariner, had brought a promise of Aid to her from the Duke of Alva ; she was confined more strictly, and with greater Guard.

Likewise in Scotland, to prevent the Duke of Guises design, which was to make use of the Duke of Lenox's favour with the King to withdraw his affection from the English ; the Earl of Gowry and others resolve by all means to remove Lenox and the Earl of Arran from the King. To accomplish which, while Lenox was gone from Perth (where the King then lay) to Edinburgh, and Arran also was absent, the said Earl of Gowry, with the Earls of Mar and Lindsey, and others, take an opportunity to invite the King to the Castle of *Rewthen*, and there detained him, not permitting him to walk abroad, and removing all his trusty Servants, cast Arran into Prison, enforc'd the King to call home the Earl of Angus, and send away Lenox into France. As also by his Letters to Queen Elizabeth, to own and approve of all these proceedings. Which were much regretted by the Queen his Mother, who on this occasion wrote a long Letter to Queen Elizabeth, lamenting her own and her Sons deplorable fortune, and did it so Pathetically, that Queen Elizabeth was much affected with it, and a serious debate was moved in her Council thereupon, and most of them inclin'd to set her at liberty on these Terms and Conditions.

1. That she and her Son should promise to practise nothing hurtful to Q. Elizabeth, and the Realm of England.

2. That she would voluntarily confess, that whatsoever was done by Francis the Second, the French King her Husband, against Q. Elizabeth, was done against her will, and that she should utterly disallow the same as unjust, by confirming the Treaty of Edinburgh.

3. That she should condemn all the practises ever since that time, and ingenuously renounce them.

4. She should bind her self not to practise any thing directly or indirectly against the Government of the Realm of England in Ecclesiastical or Civil affairs ; but by all manner of means oppose her self, and resist such practisers as publick enemies.

5. That she shall challenge or claim no right unto her self in the Kingdom of England during the Life of Queen Elizabeth, and that afterward she will submit her right of Succession unto the Estates of England.

6. And to the end, that she may not hereafter use any cavil, and say, That she condescended to these Conditions (being a Prisoner, and by co-action) she her self should not only swear unto them, but also procure the Estates of Scotland to confirm them by publick Authority.

7. The King himself also should ratifie them by Oath, and by writing.

8. And that Hostages should be given.

But these Consultations proved Abortive, the Scots rejecting them ; and besides, Queen Elizabeth had notice that Holt, an English Jesuit, was secretly sent into Scotland, (not without the Scottish Queens privity, as was suggested) to use means there for an Invasion of England. And indeed

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the Queen of *Scots* was too much addicted to, and influenced by the *Jesuits* and their Councils, who as they made use of her name to colour their traiterous designs against Queen *Elizabeth*, and therefore gave out, as if they had acted out of pure zeal to the Family of the *Stuarts* (as many of them will *boast* to this very day); yet 'tis plain, that in all these stirs they really minded nothing but their *own Interest*; for when they met with so many disappointments in their Plots, to bring the said *Scottish* Queen, before her time, to the *English* Crown; and withal despaired of turning her Son, King *James*, to *their Religion*, they presently began to start variety of *new Titles*, witness *Parsons*, alias *Doleman's Book of Succession*, and other Pamphlets by them flung abroad about those times: Nay, 'tis more than suspected, that as they egg'd on the *Scottish* Queen to ill practises against Queen *Elizabeth*, so when they had done (imitating their Father the Devil, who first tempts and then accuses), they *betray'd* her too, by making a secret discovery of those very Conspiracies in which they themselves had engag'd her; and so were treacherously *instrumental* to hasten her death, hoping to take off Queen *Elizabeth*, and put by King *James*, and play a new Game, more for their advantage, with some other *Pretender*, as will more fully appear by and by.

But to return in the mean time to our History: King *James* being, as you heard, in little better Condition than that of a *Prisoner* to Earl *Gowry* and his Confederates, or at least esteeming himself as such, on a sudden with a small Company conveyed himself to the Castle of *St. Andrews*, being then about 18 years of Age, to whom several of the Nobility with armed Troops repaired; and then he began to exercise his Royal Authority of himself, and declared in a great Assembly of the States, the Force before upon him to have been *traiterously* imposed, yet thought it most safe not to proceed with *Rigour* against his Surprizers, only advising them to depart the Court, and promised them *pardon*, if they would ask it within a time limited, which they declining, fled some into *England*, and others into other parts, only *Gowry* attempting a new Conspiracy, soon after lost his life.

It was now the year 1584. And in *England* divers *lewd Books* were spread by the *Jesuits*, and other *Popish* Factors, asserting, that Princes *Excommunicated*, as Queen *Elizabeth* for sometime before had been by the Pope, were not to have any *Allegiance* paid unto them, but ought to be *deposed*, &c. These *Seeds* soon ripen'd into rank fruits of *Treason* and *Rebellion*, and had so far intoxicated one *Sommerville*, a *Popish* Gentleman, that coming privately to Court, and full of rage against all Protestants, he with his drawn Sword assaulted several persons, and being apprehended, declared like a stout *Roman* Champion, that he would *murder the Queen with his own hands*; whereupon he, and one *Arden*, an ancient *Warwickshire* Gentleman, his Father in Law, were executed; but *Hall*, a Priest, that excited them to this madness, got a *Reprieve*. Likewise one *Throgmorton*, eldest Son of *John Throgmorton*, Chief Justice of *Chester*, was discovered by intercepted Letters, directed to the Queen of *Scots*, to have entertain'd *Treasonable correspondencies* with *Popish* Princes beyond the Seas, and chiefly with the *Guises*, who had resolv'd to invade *England*, and free the Queen of *Scots*: And for raising of money to carry on the work here, one *Paget*, under the counterfeit name of *Mope*, was sent into *Suffex*, where the *Forreiners* were first to Land; and to facilitate their purposes, he had prepar'd two *Catalogues*, found in his Chests, one of the names and descriptions

tions of all the Ports of England; the other of the Nobility and Gentry that favoured the *Romish* Religion, and that he had communicated all this to *Mendoza*, the *Spanish* Ambassador, then in England; whereupon he was condemned, and though he had twice confess'd the fact, yet (like our Modern *Popish* Traitors) at the Gallows he stoutly deny'd all, and would needs be thought to dye as innocent as the *child unborn*. However, *Mendoza* having thus violated, and forfeited the Priviledg of an Ambassador, was commanded forthwith to depart with shame, at which the *Spanish* Court being dissatisfied, the Queen sent over Sir *William Wade* to justify the Action: But the King of *Spain* not admitting him into his presence, but slightly putting him off to his Ministers, he in disdain refus'd to communicate it at all, and so returned home unheard, whereby a greater animosity arose between the two Crowns.

Nor were the *Popish* party less busy in fomenting disturbances in *Ireland*, where Dr. *Saunders*, that had wrote several *Pestilent* Books, having drawn in the Earl of *Desmond* to Rebellion, and finding him defeated, and his Head sent into England, died miserably of famine, as he roamed up and down the Mountains, guilty and desperate as *Cain*, fearing each man he met would deservedly slay him. Likewise about the same time Providence was pleas'd in a wonderful manner to make a discovery of some other practices in agitation against Queen *Elizabeth*; for one *Creighton*, a *Scottish* Jesuit sailing in a small Vessel from the Low Countries to Scotland, certain Sea-rovers of *Holland* (which then was revolted and at enmity with the rest of the Subjects of the *Spanish* King) happening to come up with them, took the said Ship; and though the Jesuit to conceal his Instructions and mischievous errand, tore several of his Papers to pieces, and flung them over-board, yet the wind miraculously (as he himself confess'd afterwards) drove them back again, and cast them upon the Deck; which the *Hollanders* perceiving, and imagining that they might be of consequence, gather'd them up carefully, and sent them to England, where by the great skill and industry of Sir *William Wade*, they were so join'd together again, that the Contents were legible, and the Conspiracies on foot detected.

The good Subjects of England finding their Country in this danger from abroad, and the life of their Queen (whereon the safety of their Religion and Liberties did seem at that juncture wholly under God to depend) daily attempted by various Plots and Machinations at home, all carried on by *Papists* out of a prospect of a *Popish* Successor, did think fit of their own accord solemnly to oblige themselves each to other for her safety, and to revenge her death on any that should occasion it; which agreement they call'd an *Association*, and was entred into by abundance of persons of all ranks and conditions throughout the Nation. The Tenor whereof was as follows.

Forasmuch as Almighty God hath ordained Kings, Queens and Princes, to have Dominion and Rule over all their Subjects, and to preserve them in the possession, and observation of the true Christian Religion, according to his holy word and commandment. And in like sort, That all Subjects should love, fear and obey their Sovereign Princes, being Kings or Queens, to the utmost of their power; at all times to withstand, pursue and suppress all manner of persons that shall by any means intend and attempt any thing dangerous or hurtful to the honour, State or persons of their Sovereigns.

Therefore we whose Names are or shall be subscribed to this Writing, being

natural

natural-born Subjects of this Realm of England, and having so Gracious a Lady, our Sovereign Elizabeth by the Ordinance of God, our most rightful Queen, Reigning over us these many years with great felicity, to our inestimable comfort: And finding lately by divers Depositions, Confessions, and sundry Advertisements out of Foreign parts from credible persons, well known to her Majesties Council, and to divers others, that for the furtherance and advancement of some pretended Title to the Crown, it hath been manifested, that the Life of our Gracious Sovereign Queen Elizabeth hath been most dangerously designed against, to the peril of her person, if Almighty God her perpetual Defender, of his mercy had not revealed and withstood the same. By whose life, we, and all other her Majesties true and loyal Subjects, do enjoy all inestimable benefit of peace in this Land: DO for the Reasons and Causes before alleged, not only acknowledge our selves most justly bound with our Lives and Goods for her defence, and in her safety to persecute, suppress and withstand all such Intenders, and all other her Enemies, of what Nation, Condition, or Degree whatsoever they shall be, or by what Council or Title they shall pretend to be her Enemies, or to attempt any harm upon her person; but do further think it our bounden duties, for the great benefit of peace, wealth, and Godly Government, we have more plentifully received these many years under her Majesties Government, than any of our forefathers have done in any longer time of any other Progenitors, Kings of this Realm: to declare, and by this writing make manifest our bounden Duties to our Sovereign Lady for her safety.

And to that end, WE and every of us, first calling to witness the Name of Almighty God, do voluntarily and most willingly bind our selves, every one of us to the other, jointly and severally in the Band of one firm and loyal Society; and do hereby vow and promise by the Majesty of Almighty God, That with our whole Powers, Bodies, Lives and Goods, and with our Children and Servants, we and every of us, will faithfully serve, and humbly obey our said Sovereign Lady Queen Elizabeth, against all States, Dignities, and Earthly Powers whatsoever, and will as well with our joint and particular forces during our lives withstand, pursue and offend, as well by force of Arms, as by all other means of revenge, all manner of persons, of whatsoever State they shall be, and their Abettors, that shall attempt any act, or counsel or consent to any thing that shall tend to the harm of her Majesties Royal Person, and will never desist from all manner of forcible pursuit against such persons, to the utter extermination of them, their Counsellors, Aiders and Abettors.

And that any such wicked attempt against her most Royal Person shall be taken in hand, or procured, whereby any that have, may or shall pretend Title to come to this Crown by the untimely death of her Majesty so wickedly procured (which God of his mercy forbid) may be avenged, We do not only bind our selves both jointly and severally never to allow, accept or favour any such pretended Successor, by whom, or for whom any such detestable Act shall be attempted or committed, as unworthy of all Government in any Christian Realm or Civil State:

But do also further vow and protest as we are most bound, and that in the presence of the eternal and everlasting God, to prosecute such person or persons to death, with our joint and particular forces, and to act the utmost revenge upon them, that by any means we or any of us can devise and do, or cause to be devised and done for their utter overthrow and extirpation.

And to the better corroboration of this our Loyal Band and Association, we do also testify by this writing, that we do confirm the contents hereof by our



Oath corporally taken upon the Holy Evangelists, with this express condition, That no one of us shall for any respect of person or causes, or for fear, or reward, separate our selves from this Association, or fail in the prosecution thereof during our lives, upon pain of being by the rest of us prosecuted and suppressed as perjur'd persons, and as publick enemies to God, our Queen, and to our Native Country: to which punishment and pains we do voluntarily submit our selves, and every of us, without benefit of any colour and pretence.

In witness of all which Premises to be inviolably kept, we do to this writing put our Hands and Seals; and shall be most ready to accept and admit any others hereafter to this Society and Association.

Which Association though entred into voluntarily, and by persons in their private capacities, was so far from offending Queen Elizabeth, and the Ministers of State in those times, or being lookt upon as seditious, that in the next Parliament the same was confirm'd and establish'd by Law, as follows Anno 27 Eliz. An Act for provision to be made for the security of the Queens Majesties most Royal person, and the continuance of the Realm in Peace.

Forasmuch as the good felicity and comfort of the whole Estate of this Realm consisteth only (next under God) in the surety and preservation of the Queens most Excellent Majesty: and for that it hath manifestly appeared, that sundry wicked Plots and means have of late been devised and laid, as well in foreign parts beyond the Seas, as also within this Realm, to the great endangering of her Highness most Royal Person, and to the utter ruin of the whole Commonwealth, if by Gods mercifull Providence, the same had not been revealed: Therefore for the preventing of such great perils as might hereafter otherwise grow by the like detestable and devilish practises, at the humble suit, and earnest petition of the Lords Spiritual and Temporal, and the Commons in this Parliament Assembled, and by the Authority of the same Parliament, Be it Enacted and Ordained, If at any time after the end of this present Session of Parliament, any open Invasion or Rebellion shall be had or made, into or within any of her Majesties Realms or Dominions, or any act attempted, tending to the hurt of her Majesties most Royal Person by or for any person that shall or may pretend Title to the Crown of this Realm after Her Majesties decease; or if any thing that he compassed or imagined, tending to the hurt of her Majesties Royal Person, by any person, or with the privy of any person that shall or may pretend Title to the Crown of this Realm: THAT then by her Majesties Commission under her Great Seal, the Lords and other of her Highnesses Privy Council, and such other Lords of Parliament to be named by her Majesty, as with the said Privy Council shall come up to the number of four and twenty at the least, having with them for their assistance in that behalf such of the Judges of the Courts of Record at Westminster, as her Highness shall for that purpose assign and appoint, or the more part of the same Council, Lords and Judges, shall by vertue of the Act, have Authority to Examine all and every the offences aforesaid, and all circumstances thereof, and thereupon to give sentence or judgment, as upon good proof the matter shall appear unto them. And that after such sentence or judgment given, and declaration thereof made and published by her Majesties Proclamation under the Great Seal of England, all persons against whom such sentence or judgment shall be so given and published, shall be excluded and disabled for ever to have or claim, or to pretend to have or claim the Crown of this Realm, or of any her Majesties



her Dominions, any former Law, or Statute whatsoever to the contrary in any wise notwithstanding. And that thereupon all her Highnesses Subjects shall and may lawfully by vertue of this Act, and her Majesties direction in that behalf, by all forceable and possible means pursue to death every such wicked person, by whom or by whose means, assent, or privity, any such Invasion or Rebellion shall be in form aforesaid denounced to have been made, or such wicked act attempted, or other thing compassed or imagined against her Majesties Person, and all their Aiders, Comforters and Abettors.

And if any such detestable act shall be executed against her Highness most Royal Person, whereby her Majesties Life shall be taken away (which God of his great mercy forbid) that then every such person, by or for whom any such Act shall be executed, and their Issues being any wise assenting or privity to the same, shall by virtue of this Act be excluded and disabled for ever to have or claim, or pretend to have or claim the said Crown of this Realm, or any other her Highnesses Dominions, any former Law or Statute to the contrary in any wise notwithstanding. And that all the Subjects of this Realm, and all other her Majesties Dominions, shall and may lawfully by vertue of this Act, by all forceable and possible means pursue to the death every such wicked person, by whom or by whose means any such detestable fact shall be in form hereafter expressed denounced to have been committed, and also their Issues being any assenting or privity to the same, and all their aiders, comforters and abettors in that behalf.

And to the end that the intention of this Law may be effectually executed, if her Majesties Life be taken away by any violent or unnatural means (which God defend.) Be it further enacted by the Authority aforesaid, that the Lords and others, which shall be of her Majesties Privy-Council at the time of such her decease, or the more part of the same Council, joining unto them for their assistance Five other Earls, and Seven other Lords of Parliament at the least (foreseeing, that none of the said Earls, Lords or Council be known to be persons that may make any Title to the Crown,) those persons which were Chief Justices of either Bench, Master of the Rolls and Chief Baron of the Exchequer at the time of her Majesties death, or in default of the said Justices, Master of the Rolls, and Chief Baron, some other of those which were Justices of some of the Courts of Records at Westminster at the time of her Highnesses decease, to supply their places; or any Four and Twenty, or more of them, whereof Eight to be Lords of the Parliament, not being of the Privy-Council, shall to the uttermost of their power and skill examine the cause and maner of such her Majesties death, and what persons shall be any way Guilty thereof, and all circumstances concerning the same, according to the true meaning of this Act; and thereupon shall by open Proclamation publish the same, and without any delay by all forceable and possible means, prosecute to death all their Aiders and Abettors; and for the doing thereof, and for the withstanding and suppressing all such power and force, as shall be any way levied or stirred in disturbance of the due execution of this Law, shall by vertue of this Act, have power and authority, not only to raise, and use such Forces, as shall in that behalf be needful and convenient, but also to use all other means and things possible and necessary for the maintenance of the same Forces, and prosecution of the said Offenders; and if any such Power and Force shall be levied and stirred in disturbance of the due execution of this Law, by any person that shall or may pretend any Title to the Crown of this Realm, whereby this Law may not in all things be fully executed, according to the effect and true meaning of the same; that then every such person shall by vertue of this Act be therefore excluded, and disabled

for

for ever to have, or claim, or to pretend to have or claim the Crown of this Realm, or of any other Her Highnesses Dominions, any former Law or Statute whatsoever to the contrary notwithstanding.

And be it further enacted by the Authority aforesaid, That all, and every the Subjects of all her Majesties Realms and Dominions, shall to the uttermost of their power aid and assist the said Council, and all other the Lords and other persons to be adjoynd to them for assistance, as is aforesaid, in all things to be done, and executed according to the effect and intention of this Law; and that no Subject of this Realm shall in any wise be impeached in Body, Land or Goods, at any time hereafter, for any thing to be done or executed according to the Tenor hereof, any Law or Statute heretofore made to the contrary in any wise notwithstanding.

And whereas of late many of her Majesties good and faithful Subjects have in the Name of God, and with the Testimonies of good Consciences by one uniform manner of writing under their hands and Seals, and by their several Oaths voluntarily taken, joyned themselves together in one Bond and Association, to withstand, and revenge to the uttermost all such malicious actions and attempts against her Majesties most Royal Person: Now for the full explaining of all such Ambiguities and Questions, as otherwise might happen to grow by reason of any sinister or wrong Construction, or Interpretation to be made or inferred of, or upon the words, or meaning thereof; Be it declared and enacted by the Authority of this present Parliament, that the same Association, and every Article and Sentence therein contained, as well concerning the disallowing, excluding, or disabling any person that may, or shall pretend any Title to come to the Crown of this Realm, as also for the pursuing, and taking revenge of any such wicked act or attempt as is mentioned in the same Association, shall, and ought to be in all things expounded and adjudged according to the true intent and meaning of this Act, and not otherwise, nor against any other person or persons.

The Scottish Queen was too quick sighted, not to perceive, that this Association was an Arrow level'd principally against her; yet whether push'd on by the greatness of her spirit, or the blindness of her Fate, or rather seduc'd by affording an ear as well to the treacherous counsel of her enemies, as unto the pernicious devices of her friends, she was still busy in Intrigues for procuring her Liberty; and particularly Queen Elizabeth had private informations from one Hart, a Romish Priest, that Dr. Allen, a Popish Fugitive (advanc'd by the Pope to the Cardinalate) for the Popish Ecclesiasticks of England, and Sir Francis Inglesfield for the Laity, and the Bishop of Ross for the Queen of Scotland, had unanimously undertaken, and with the authority of the Pope, and consent of the King of Spain, decreed, that Queen Elizabeth should be deposed, and the King of Scotland disinherited of the Kingdom of England, as being both manifest and notorious Hereticks, and the Queen of Scots to be married to some Catholick Nobleman, who should be chosen King of England by the English Catholicks, and the Election ratified by the Pope, and the lawful issue of this man by the Queen of Scotland to be declared Successors to the Crown, &c.

But these were only remote and unstedg'd projects: there was another dangerous Conspiracy, somewhat of the same complexion, nearer hand, and almost ripen'd for execution, which in the year 1586. happily for Queen Elizabeth, but as to the Queen of Scots, fatally discovered; which in short was thus: One Gifford a Dr. of Popish Divinity had perswaded one John Savage (a man of great courage and blind zeal) that it was a meritorious work



work to take away the lives of Princes *excommunicated*, who thereupon made a *solemn Vow* to kill Queen *Elizabeth*. To render his attempt more feasible, and to rock the Queen and her Council into security, that the danger might so much the more certainly overwhelm them, by how much it was less apprehended, the Jesuits and Seminary Priests publish't a Book, exhorting the Roman Catholicks in England to attempt nothing against their Prince, and to use only the Christian weapons, *prayers and tears*, &c. In the mean time, *Savage* waiting his opportunity, one *Ballard*, a Priest, that had been contriving in France with *Mendoza*, *Paget* and others, about invading of England, came over as a Soldier, by the name of Captain *Fosch*, and being not unacquainted with *Savage's* design, communicated the same to Mr. *Anthony Babington*, a *Derby-shire* Gentleman, of an ancient Family, Rich, very handsome, of an excellent Wit, Learned above his years, and a zealous Papist, who having lately been abroad, the Archbishop of *Glasgow*, the Scottish Queens Ambassador, had engag'd him with continual applauses of that Queens *Vertue* and *Beauty*, and of promises of honours and preferments from her, obscurely intimating no less than hopes of *Marriage*, whereby the ambitious young man resolv'd to run all adventures to render himself capable of her good Graces; nor was that Queen wanting to give encouragement, by holding a correspondence with him by Letters in *Cipher*, which though for some time interrupted, by her removal from the Charge of the Earl of *Shrewsbury* to the Custody of *Amias Paulet* and Sir *Drew Drury*, was yet renewed again some time after, as by the Letters in the following Sheets appears.

*Babington* being thus inform'd of *Savage's* Vow, resolving to have the murder of Queen *Elizabeth* effectually perform'd, would needs associate Five more with him for that attempt, and also drew in divers other Popish Gentlemen, no less fiery zealous than himself, into the Conspiracy, as *Edward Windsor*, Brother to the Lord *Windsor*, *Thomas Salisbury*, of a good Family in *Denbysire*, *Charles Tilney*, of an ancient worshipful House, the only hope of his Family, and one of the Gentlemen-Pensioners to Queen *Elizabeth* (the last Two being lately reconciled to the Church of Rome by the said *Ballard*), *Chidiock Tichburn*, of *Hampshire*, *Edward Abington*, whose Father had been Cofferer to the Queen, *Robert Gage*, of *Surry*, *John Travers* and *John Charnock*, of *Lancashire*, *John Jones*, whose Father had been Tailor to Queen *Mary*, one *Barnwell* of an honourable Family in *Ireland*, *Henry Dun*, a Clerk in the *First-Fruits-Office*, and several others; but those that were to assassinate Queen *Elizabeth*, were the before-named, *Savage*, *Abington*, *Barnwell*, *Tilney* and *Tichburn*, the Conspirators were all Sworn to Secrecy, and had several Consults, as in *Pauls-Church*, *St. Giles in the Fields*, and in divers Taverns; and proceeded to that vanity, that they had also their *Pictures* drawn to the Life, all in one Table, with *Babington* in the midst, thus Circumscrib'd,

*Hi mihi sunt Comites, quos ipsa pericula jungunt.*

But that Verse being thought too plain, they removed it, and instead thereof inserted this Motto.

*Quorsum hac, aliò properantibus?*

The

The Plot being thus laid to murder Queen Elizabeth, and at the same instant to free the Queen of Scots, Forrein Forces to land, Rebels at home ready to joyn with them, and all things in so forward a posture, it will be convenient to observe how this desperate Contrivance was brought to nought: The before-mentioned Gifford, the Priest, born in Stafford-shire, not far from Chartley, where the Queen of Scotland was kept, was sent over about this time by the Fugitives into England, under the counterfeited name of *Luson*, to remember *Savage* of his Oath, and secretly to convey Letters to and fro, between the Queen and her Correspondents, which for some time he performed; for by corrupting a Brewer belonging to *Amias Paulet*, at a hole in a Wall, into which a stone was put, so that it might be taken out, he secretly sent in, and receiv'd back Letters; but the said Gifford, whether troubled in conscience, or corrupted with bribes; or terrified through fear, or (which I esteem more probable) appointed so to do, that he might precipitate the Queen to destruction, disclosed the whole Intrigue to Secretary *Walsingham*, and communicated to him all the Letters that either way he receiv'd, who unseal'd and Copied them, and then by the rare skill of one *Phillips*, found out a Key to the Ciphers, and by the dexterity of one *Gregory*, sealed them up again, so that they could not be perceiv'd to have been open'd, and then dispatch't them away, as directed.

Queen Elizabeth, by this means having notice of the storm that hung over her head, thought fit to prevent it in time; and when *Walsingham* would have suffered them to have proceeded further, the Queen refused, lest (as she said) in not taking heed of danger when she might, she should seem more to tempt God than to hope in him. Hereupon *Babington* and the rest were sought after, and having in vain endeavour'd to abscond, were apprehended, and upon a fair Tryal, and their own Confessions, condemned and executed.

Hereupon Queen Elizabeth being much exasperated against the Queen of Scots, caused her Cabinets and Papers to be seized, wherein many Letters were found, and Copies of Letters both to and from Strangers, and also from divers Noblemen of England, which Queen Elizabeth prudently dissembled and buried in silence. As for Gifford, who made the discovery, he was soon after sent into France, under the notion of Banishment. Now that this Gifford might be set on work by the Jesuits, is very suspicious; for tis very unlikely, that he who first labour'd to perswade *Savage* of the lawfulness and merit of murdering of Queen Elizabeth, and came over on purpose to remind him of that Vow, should all on a sudden have so tender a Conscience, or so much love, forsooth, to his Prince and Country, as of his own accord to discover the Intrigue, had he not a secret design to manage thereby, which is more probable, because tis plain they were now grown out of hope of restoring their Religion, either by the Queen of Scots or her Son, and therefore began to set up a feigned Title for the King of Spain, and imploy'd one of their Society into England (as is affirmed by *Pasquier* a French Author) to draw off the Gentry from her to the Spaniard, and to thrust her headlong into these dangerous counsels, which brought her to her end; and at the same time, lest the Guises her kindred should give her any assistance, stirred them up to new enterprises against the King of Navarre, and the Prince of Conde.

Nay, the Queen of Scots her self was not unacquainted with their designs to set up the Spaniard; for amongst other things we find, she one time said these words—*When I being in Prison, and languished with care, without hope*



hope of Liberty, and there was not any more hope left for ever bringing to pass these things, which very many expected of me in my sickness and declining age, many thought it fit that the Succession of the Realm of England should be established in the Spaniard, or in a Catholick English man; and a Book was brought to prove the Right of the Spaniard; which being not admitted by me, I offended many.—*History of the Life and Death of Mary Stuart Queen of Scotland, dedicated to her Son King James, p. 400.*

But leaving this Conjecture to the Judicious Reader, however it was design'd, the event proved Funerous to the Scottish Queen: for her Secretaries being examined about the Papers found in her Closet, of their own accord acknowledged, that these in her Name were of their hand-writings, but Indited by her in French; that she receiv'd Letters from Babington, and that they wrote back by her commandment the Answers there found.

Hereupon the English Queen after some debate resolv'd to proceed against her upon the before-recited Act of 26th. of Eliz. But when it was said, That according to the Formalities of Law she ought to be Tried at the Assizes by a Country Jury, and to hold up her hand at the Bar, Queen Elizabeth would by no means hear thereof, judging it very unbecoming her Royal Quality; and therefore chose rather to issue forth a Commission to divers Noblemen, and chief Personages of the Realm, together with the Judges, &c. who met at Fodrington-Castle in Northamptonshire, (where she was then kept) on the 11th. of October 1586. and proceeded as in the subsequent Papers is related.

And afterwards, viz. the 25th. of the same Month, in the Star-Chamber at Westminster (to which time and place the Commissioners had adjourn'd themselves) the sentence against her was pronounc'd and confirm'd with the Oaths and Subscriptions of the Commissioners. Whereupon both the King of Scots, and the French King, speedily sent their Ambassadors to intercede on her behalf with Queen Elizabeth, using all persuasive Arguments; that natural affection in the one, and likeness of Condition, and ancient friendship in the other could suggest. But when the loud voice of necessity of State seem'd to drown all their Reasons, the French Ambassador *L'Anespine*, resolves to prevent Blood with Blood; (and to save the Queen of Scots life, contrives to take away Queen Elizabeth); and deals with one Mr. Stafford (whose Mother was of the Bed-Chamber to Queen Elizabeth) about it, who having not an heart to act such a Villany himself, recommended one Moody a desperate Ruffian taken out of the Common Goal, who for money undertook it. But then they could not agree in the manner; Moody propounded *Poyson* to lay a Bag of Gunpowder under the Queens Bed, and suddenly fire it, (so that the Treason of that kind against King James, was not altogether a new invention, but the Devil had long before inspired some bloody Papists with the notion); but *Trap* the French Ambassadors Secretary liked neither of these Expedients, but would have her kill'd as the Prince of Orange was late before, who was shot into the Body with three Bullets, by one *Balthazar Gerard* a Burgundian, instigated thereunto by the Jesuits. But whilst they were thus consulting, Stafford discovers all, whereupon Moody and *Trap* were apprehended, and confess the whole Contrivance. This fresh and dangerous Plot much startled Queen Elizabeth, who perceiv'd that her own Life could not be safe if she did not proceed to execute the Sentence upon the Scottish Queen. For from the prospect of her succeeding to the Crown, the Popish Conspirators laid the foundation of all their Trayterous practices.

Yet never did Clemency and good nature more bravely resist the charms of Interest, and dread of danger, than in the noble breast of our Queen; for how extremely loth she was to consent to the death of the Queen of Scots, appears by the several Applications made by the Parliament to move her thereunto. As first, at Richmond on the 12th. of Nov. Serjeant Puckering Speaker of the House of Commons did in the name of that House represent unto her Majesty the divers apparent and imminent dangers that might grow to her Royal person, and to her Realm from the Scottish Queen and her Adherents, if remedy were not provided, which he delivered as follows.

*First touching the danger of her Majesties Person.*

Both this Scottish Queen and her Favourers do think her to have Right not only to succeed, but to enjoy your Crown in possession; and therefore as she is a most Impatient Competitor, so will she not spare any means whatsoever that may bereave us of your Majesty, the only impediment that she enjoyeth not her desire.

1. She is obdurate in malice against your Royal Person, notwithstanding you have shewed her all favour and mercy, as well in preserving her Kingdom, as saving her life, and salving her honour. And therefore there is no place for mercy, since there is no hope she will desist from most wicked attempts, the rather for that her malice appeareth such, that she maketh (as it were) her Testament of the same, to be executed after her death, and appointeth her Executors to perform it.

2. She openly and boldly professed it lawful for her to move Invasion upon you; and therefore as of Invasion victory may ensue, and of victory the death of the vanquished: so did she thereby not obscurely bewray, that she thought it lawful for her to destroy your Sacred Person.

3. She thinks it not only lawful, but honourable also, and meritorious to take your life from you, as being already deprived of your Crown by the Excommunication of the Holy Father, and therefore it is like she will (as hitherto she hath done) continually seek it by whatsoever means.

4. That she is greedy of your Majesties death, and preferred it before her own life and safety. For in her direction to one of her late Complices, she advised under covert terms that whatsoever should become of her, that Tragical Execution should be perform'd on you.

*Secondly, Touching the danger of the overthrow of the true Religion.*

1. It is most perilous to spare her, that continually hath sought the overthrow and suppression of true Religion, infected with Popery from her tender youth, and being after confederate in that Holy League when she came to age, and ever since a professed enemy against the Truth.

2. She resteth wholly upon Popish hopes to deliver and advance her, and is thereby so devoted to that profession, that as well for satisfaction of others, as for feeding of her own humour, she will supplant the Gospel where and whenever she may, which evil is so much the greater, and the more to be avoided, as that it slayeth the very soul, and will spread it self not only over England and Scotland, but also in those parts beyond Sea, where the Gospel of God is maintained, the which cannot but be exceedingly weakened by the defection of this Noble Island.

*Thirdly,*



*Thirdly, Touching the peril of the state of the Realm.*

1. *As the Lydians said, Unum Regem agnoscunt Lydi, duos autem tolerare non possunt; so we say, Unicam Reginam Elizabetham agnoscunt Angli, duas autem tolerare non possunt.*

2. *As she hath already by her allurements brought to destruction more Noblemen and their houses, together with a greater multitude of the Commons of this Realm, during her being here, than she should have been able to do, if she had been in possession of her own Crown, and armed in the Field against us: so will she be the continual cause of the like spoils, to the greater loss and peril of this Estate; and therefore this Realm neither can nor may endure her.*

3. *Again, She is the only hope of all discontented Subjects; she is the Foundation whereon all the evil-disposed do build; she is the Root from whence all Rebellions and Treacheries do spring; and therefore whilst this hope lasteth, this foundation standeth, and this Root lieth, they will retain heart, and set on foot all their deviles against the Realm, which otherwise will fall away, die, and come to nothing.*

4. *Mercy now in this case towards her, would in the end prove Cruelty against us all, Nam est quædam Crudelis Misericordia, and therefore to spare her is to spill us.*

5. *Besides, It will exceedingly grieve, and in a manner deadly wound the hearts of all good Subjects of your Land, if they shall see a Conspiracy so horrible not condignly punished.*

6. *Thousands of your Majesties most Leige and Loving Subjects of all sorts and degrees, that in a tender zeal of your Majesties safety, have most willingly both by open Subscription and solemn Vow, entered into a firm and loyal Association, and have thereby protested to pursue unto the death by all forcible and possible means such as she is by just Sentence found to be; can neither discharge their love, nor well save their Oaths, if your Majesty shall keep her alive; of which burden your Majesties Subjects are most desirous to be relieved, as the same may be if Justice be done.*

7. *Lastly, Your Majesties most loving and dutiful Commons doubt not, but as your Majesty is duly exercised in reading the Book of God, so it will please you to call to your Princely remembrance, how fearful the examples of Gods vengeance be, that are to be found against King Saul for sparing King Agag, and against King Ahab for saving the life of Bethhadad; both which were by the just Judgment of God deprived of their Kingdoms, for sparing those wicked Princes whom God had delivered into their hands of purpose to be slain by them, as by the Ministers of his Eternal and Divine Justice; wherein full wisely Solomon proceeded to punishment when he took the life of his own natural elder Brother Adonias, for the only intention of a Marriage that gave suspicion of Treason against him.*

*Herein We your Majesties most loving and dutiful Subjects earnestly depend upon your Princely resolution, which we assure our selves shall be to God most acceptable, and to us no other than the state of your Regal Authority may afford us, and the approved Arguments of your tender care for our safety under your Charge, doth promise to our expectation.*

*To this Address the Queen returned Answer in a large Speech, soon after Printed, and too long here to recite; but amongst other things she used these expressions:*

*Albeit, I find my life hath been dangerously sought, and my death contrived*  
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without



without desert, yet I am therein so clear from malice, as I protest it is, and hath been to me the greatest grief, that one not different in Sex, of like Estate, and near of kin, should fall into so great a crime: yea, I had so little purpose to pursue her with malice, that as it is not unknown to some of my Lords here, I secretly wrote her a Letter upon the discovery of several Treasons, that if she would privately acknowledg them by her Letters to my self, she should never be called so publickly in question for them; neither did I that to circumvent her, for I knew then as much as she could confess, and so did I write. And if even yet, now that the matter is made but too apparent, I thought she truly would repent (as perhaps she would easily appear in outward shew to do,) and that for her, none other would take the matter upon them, or that but mine own life only were in danger, and not the whole estate of your Religion and well doings; I protest I would most willingly pardon and remit this offence. Or if by my death other Nations and Kingdoms might say, that this Realm had attained an ever prosperous and flourishing Estate, I would (I assure you) not desire to live, but gladly give my life, to the end it might procure you a better Prince.

I am not unmindful of your Oath made in the Association, manifesting your great good wills and affections, taken and entred into, upon good Conscience and true knowledge of the guilt, for safety of my person, and conservation of my life, done, I protest to God before I heard it, or ever thought of such a matter, until a great number of hands, with many obligations, were shewed me, which as I do acknowledg as a perfect argument of your true hearts and great zeal to my safety; so shall my bond be stronger tied to greater care for all your good.

But forasmuch as this matter is rare, weighty and of great consequence, I think you do not look for any present resolution; the rather for that, as it is not my manner in matters of far less moment to give speedy answer without due consideration; so in this of such importance, I think it very requisite with earnest prayers to beseech the Divine Majesty so to illuminate my understanding, and inspire me with his grace, as I may determine that which shall serve to the establishment of his Church, preservation of your Estates, and the prosperity of this Commonwealth under my charge, wherein (for that I know delay is dangerous) you shall have with all conveniency our resolution delivered by our Message.

Soon after this, her Majesty sent to both Houses, earnestly charging them to consider of some expedients, whereby she might spare the Scottish Queen, and yet preserve her own Life and State; who having severally in their respective Houses, and jointly at several Conferences debated the same, concluded, *Nemine contra dicente*, That there was no other effectual means or expedient could be found out for continuance of the Christian Religion (I use herein their own words,) quiet of the Realm, and safety of her Majesties Person, than that which was contained in their former Petition: Which was back't by another Speech of the Speaker of the Commons, assigning, by the direction of the House, these Reasons for such their resolution, viz.

That if her Majesty should be safe without taking away the life of the Scottish Queen, the same were most probably, by one of these means following, viz.

1. That happily she might be reclaimed, and become a Repentant-Convert, assigning her Majesties great mercy and favours in remitting her heinous offences, and by her Loyalty hereafter perform the fruits of such Conversion.

2. Or else, by a more streight Guard be so kept, as there should be no fear of the like attempts hereafter.

3. Or that good assurance might be given by Oath, Bonds or Hostages, as cautions for her good and loyal demeanour from henceforth.

4. Or

4. Or, lastly, by Banishment, the Realm might be voided of her Person; and thereby the perils further revenues that grow to her Majesty by her Presence.

All which being duly pondered, did yet appear so light in all their Judgments, that they durst not advise any security to rest in any, no not in all of them. For,

1. Touching her Conversion; it was considered, That if Piety or Duty could have restrained her from such heinous Attempts, there was cause enough ministered to her on her Majesties behalf, when she not only protected her against the violence of her own Subjects, who pursued her to death by Justice, but covered her Honour, when the same by publick Fame was touched, and the very Heinous and Capital Crimes objected against her before certain Commissary Delegates assigned to examine the same; and spared her Life, when for her former Conspiracies and Confederacies with the Northern Rebels, Her Highness was with great Instance pressed by both Houses in the 14th year of her Majesties Reign, to do like Justice upon her, as is now desired, and as her Treasonable practices then had most justly deserved. And whereas the Penalty of this Act sufficiently notified unto her, should have terrified her from so wicked attempts, she hath nevertheles insisted in her former practices, as a person obdurate in Malice against her Majesty, and irrecoverable; so as there was no probable hope of any Conversion, but rather great doubt and fear of Relapse, forasmuch as she stood obstinately in the denial of matter most evidently proved, and now most justly sentenced against her, and was not entered into the first part of Repentance, the Recognition of her offence, and so much the farther off from the true fruits that should accompany the same.

2. As for a surer Guard, and more strait Imprisonment, it was resolved, That there was no security therein, nor yet in the two other means propounded of Bonds and Hostages. Forasmuch as the same means that should be practised to take her Majesties Life away (which God forbid), would aptly serve both for the Delivery of her Person, and Release of the Bonds and Hostages that should be given for Cautions in that behalf; which being unhappily achieved, and so our irreparable loss, who should sue the Bonds, or detain the Hostages? or being detained, what proportion was there in Bonds or Hostages whatsoever, to countervail the value of so precious and inestimable a Jewel, as her Majesty is to this Realm?

3. But she will solemnly vow and take an Oath, that she will not attempt anything to the hurt of her Majesties Person. She hath already sundry times falsified her Word, her Writing, and her Oath, and holdeth it for an Article of Religion. That Faith is not to be holden with Hereticks, of which sort she accounteth your Majesty and all the professors of the Gospel to be; and therefore have we little reason to trust her in that, whereof she maketh so small a conscience.

4. As for Banishment, that were a step a malo in pejus, to set her at liberty; a thing so greatly desired and thirsted for by her Adherents, and by some Princes her Allies, who sought her Enlargement chiefly to make her a Head to set up against her Majesty in time of Invasion.

And therefore her Majesties Death being so earnestly sought for Advancement of this Competitor, Her Highness could not remain in quietness or security, if the Scottish Queen should longer continue her Life.

Yet notwithstanding all these Applications and Reasons, the Queen suspended her Resolution, and Answered this second Address with a Reserv'd Speech, which at once express'd her Love and Tenderness to her Kinswoman, and her Regards to the safety of her People; protesting, That she was so far from Cruelty, that for her own Life she would not touch Hers; and that her Care had not been so much how to preserve her self, as both, which she was sorry was become so hard, or rather impossible; and therefore concluded, That as she conceived their Consultations Wise, Honourable and Consciencious; so she desired for the present to suspend her positive Answer, &c.

So far was this Pious Queen perplexed in this Affair, that she abandon'd the Comforts of Society, and would oft sit solitary, without speaking a word to any: But at last delivered to Davison, one of her Secretaries, a Warrant signed with her own hand, for the Issuing a Commission under the Great Seal of England, for the Queen of Scots Execution, that it might be ready upon any imminent danger; yet charging him not to acquaint any therewith. And the very next day sent him a Countermand; but he then acquainted her Majesty, that the Commission was already made, and pass'd the Seal; at which the Queen appear'd angry, and blam'd him for his haste. And indeed he had

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Communicated the Business to several of the Council, and perswaded them, who were apt enough to believe what they desired, that the Queen Commanded that it should be put in Execution without delay. And so (having obtain'd such Warrant and Commission) they without her Majesties privy, sent down one *Beal* with Authority directed to the *Earls of Shrewsbury, Kent, Darby* and others, to see her Executed. Which was performed accordingly. The Manner and Circumstances whereof, the Reader may find in the ensuing Narrative.

She was put to Death the 18th of February, 1587. in the Six and fortieth year of her Age, and 18th of her Confinement; her Body being Honourably Buried in the Cathedral of *Peterborough*; and from thence afterwards removed by her Son King *James*, and laid under a Royal Monument in King *Henry* the Seventh's Chappel at *Westminster*. Various was this Action censur'd; and I shall only say, That though the Physick was violent and extraordinary, yet it wrought a Cure, and preserv'd the Body-politick from those Domestick Paroxysms of Treason and Rebellion, that before daily disturb'd and endanger'd it; for we do not find after that, any, or at least very few Conspiracies carried on against the Queens Life, or the Government, though she lived afterwards between 14 and 15 years: For the *Spanish* Invasion, though it happened two years after, was not only a thing Foreign, but Contriv'd and Design'd before the Queen of *Scots* Death.

And as for the Proceedings against the Earl of *Arundel*, the Crimes for which he was prosecuted had their Rise likewise in precedent times: For first having been questioned and confined to his House, and then set at Liberty, he attempted to fly beyond Sea; and therefore was Committed to the *Tower*, not only for the same, but likewise for Harboursing Priests, and Corresponding with *Allen* and *Parsons* the Jesuits, was fined 10000 Marks; and afterwards continuing his Disloyal practices, was for the Reasons in the following Papers specified, Condemned; though by the Queens mercy Reprieved, and dyed naturally in the *Tower* in the year 1595.

Two things further I must Remark: 1. What a strange Bias, and almost prodigious Influence *Ropery* has even on the best dispositions, prevailing so far with this unfortunate Earl, that even contrary to Nature it self (and yet bate but his Religion, he is Represented as a good-Natur'd man), He joyced with hopes of the Ruine of his Country. 2ly, That if you look over the Lists of the Lords Commissionated in these Transactions, you will find them to be of great and ancient Houses; and though some of their Families have almost ever since been of the *Roman* persuasion, yet they were then so well satisfied with the Proceedings, that we meet not with One Voice pronouncing a *Not Guilty* in all the three Tryals.

History is one of the best Tutors of Policy, whereby the Ingenious will easily perceive how far former Occurrences hold parallel with, or may be considered in relation to Modern Affairs.

THE Reader may be pleas'd to correct the Errata, p. 2. instead of 1568. the year of the Marriage of the Queen of *Scots*, should be 1558. And in other places the Names *Gray* for *Grey*, *Perian* for *Periam*, and some other literal mistakes and faults, by the Context may easily be rectified or pardoned.



*The whole Discourse of the Duke of Norfolks Arraignement the 17th day of January, Anno 1571. in the 14th year of the Reign of our Sovereigne Lady Queen Elizabeth, &c.*

**F**irst the O yes was made by *Littleton* a Serjeant at Arms, and then Proclamation was made as followeth: viz. *My Lords grace the Queens Majesties Commissioner High Steward of England, doth Charge every man to keep silence, and hear the Queens Majesties Commission Read;* The same Commission was read by Mr. *Sands* Clarke of the Crown, of the *Kings Bench*, the Test whereof was the 14th day of February, Anno *Elizabethæ* Reg. 14th, then was a large *White Rod* delivered to my Lord Steward by *Garter*, Principal King at Armes, who held the same a while, and after delivered it to Mr. *Norris* the *Great Usber*, who held the same all the time of the Arraignement: Then was called *Thomas Edwards* Serjeant at Armes, and willed to return his Writ, which being returned was read: Then was called all the *Earls, Vicounts, and Barons*, summoned to appear there that day, and every one to answer to their Names; the *Earls* and *Lords* that sate there that day, were these following. viz.

1. *Reginald Gray Earl of Kent.*
2. *William Somerset Earl of Worcester.*
3. *Thomas Ratlife Earl of Suffex.*
4. *Henry Hastings Earl of Huntington.*
5. *Ambrose Dudley Earl of Warwick.*
6. *Francis Russel Earl of Bedford.*
7. *William Herbert Earl of Penbroke.*
8. *Robert Dudley Earl of Leicester.*
9. *Edward Seymor Earl of Hartford.*
10. *Walter Devereux Vicount Hereford.*
11. *Edward Fynes Lord Clinton.*
12. *William Howard Lord of Effingham.*
13. *William Cecil Lord Burleigh.*
14. *Arthur Gray Lord Wilton.*
15. *James Blunt Lord Mountjoy.*
16. *William Lord Sands.*
17. *Thomas Lord Wentworth.*
18. *William Lord Borrough.*
19. *Lewis Lord Mordant.*
20. *John Pawlet Lord S. John.*
21. *Robert Lord Rich.*
22. *Roger Lord North.*
23. *Edward Lord Chandois.*
24. *Oliver Lord S. John of Bletfoe.*
25. *Thomas Sackville Lord Buckhurst.*
26. *Lord De-La-Ware.*

*Earles, Vi-  
count, Lords.*

Nine *Earls*, One *Vicount*, and Sixteen *Lords*, in all Twenty Six.

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Then

Then was Robert Catlin Chief Justice of England, Commanded to return his Precept, upon the peril should follow thereof, which was returned and read: Then was called the Lieutenant of the Tower, to return his Precept and to bring forth his Prisoner Thomas Duke of Norfolk: Then was the Duke brought to the Bar, being held between Sir Owin Hopton on the right hand, and Sir Peter Carew on the left hand: And next unto Sir Peter, stood one holding the Axe of the Tower with the Edge from the Duke: The Duke immediately at his coming to the Bar, viewed all the Lords both on the Right hand, and on the left hand of the Lord Steward: Then the Lieutenant delivered in the Precept which was Read: And then was Proclamation made that every man should keep silence: And Mr. Sands spake to the Prisoner in this manner; Thomas Duke of Norfolk late of Hemming Hall in the County of Norfolk hold up thy Hand, which done he Read the Indictment, the Effect whereof was, That the 26th. day of September, in the 11th. year of the Queens Majesties Reign, and before and after, he did Traiterously compact and imagine to deprive and destroy and to put to Death, our Sovereign Lady the Queen; and to raise Rebellion, to subvert the Common-Wealth, and so stir up Forraigners to invade the Realm: And to raise War against the Queen: For that he knew that Mary late Queen of Scotts to have claimed the Crown of this Realm, and to have named herself Queen, and to have born the Armes of the Queen without difference: He did the 24th day of September, in the said 11th year without the consent of our said Queen, send diverse Letters and Tokens to the said Scottish Queen, and lent her diverse great sums of Money, and Received tokens of her, contrary to the Commandement of the Queen, and contrary to his own submission and promise under his Hand and Seal: And that he knowing the late Earls of Northumberland and Westmoreland, Norton, Markinfild and others, had levyed War against the Queen; and had assembled unto them the Number of four Thousand Persons; and that they the 12th day of December, in the 12th. year of her Majesties Reign, fled into Scotland, and there were Received by the Duke of Castiles. Harolte, and the Lord Hume and others; and after being pursued by the Earl of Suffex the sixth day of August, in the said 11th year, and before and after did send Mony to them: And that he being Adherent to Pius the Pope, Enemy to the Queen, the 10th. day of March, in the 13th. year of the Reign of the Queen, did consent and consult with Robert Radolphe Merchant Stranger and the Popes Factor to have Money from the Pope, King Philip and the Duke of Alva, and that they should send an Army to invade the Realm, and to deliver the Scottish Queen: And further whereas the said Robert had written in the Name of the said Duke three Letters. viz. One to the Pope, another to King Philip, and another to the Duke of Alva: And the said Duke sent his Servant to the Embassador of King Philip, affirming that the same three Letters were by him allowed; and that they should be taken as sent from him; which matter was so agreed to by the said Robert Radolph, who delivered to the Duke of Norfolk Ciphers; whereof he carried one Copy to Rome, whereby each might Certifie others, likewise he inquired of the said Duke what time the aid shall arise that shall be provided: And further, the said Duke did Receive Letters from the Pope the 18th. day of April, in the 13th. year of the Queens Reign with Promise of the same aid; and that he did also send Comfort and aid unto the Lord Harris and other the Queens Enemies.

Which Indictment being Read, Mr. Sands said to the Duke, how saiest thou Thomas Duke of Norfolk, art thou Guilty of these Treasons or not Guilty

Lieutenant.  
Duke.

Axe of the  
Tower.

Proclamation.  
Sands.

Traitors.

Earl of Suffex.

Radolph Pope  
King Phillip.  
Duke of Alva.  
Queen of  
Scotts,  
Three Letters.

Lord Harris.  
Sands.

*Guilty*: Then said the Duke, the hearing of this Indictment giveth me <sup>Duke.</sup>  
 occasion to make suite for a thing I meant not to have done, which is  
 to have *Council* assigned to me if the Law do permit: Then said *Catlin*, <sup>Catlin.</sup>  
 the Lord Chief Justice, you must have no *Council*: The Duke Answered; I <sup>Duke.</sup>  
 was told the Indictment was only touching matters contained in the 25th.  
 of *Edward* the Third; I have had very short warning, not past 14 hours,  
 night and all; and there be very many Circumstances of Treason, in  
 which I must submit my self to the Opinion of the Judges; I could not have  
*Books*, I must fight without a *Weapon*: I have read of a Case of *Humphry Stafford* <sup>Humphry Staff-</sup>  
 in the first of *Henry* the 7th. who in Case of Treason, had Coun- <sup>ford.</sup>  
 cel Assigned unto him: Then said the Lord *Dyer*, the Case you speak of <sup>Henry 7th.</sup>  
 was touching the pleading of a Sanctuary, whether he might Claim <sup>Lord Dyer.</sup>  
 the Sanctuary there by Prescription, but upon the point of Treason, he  
 was put to Answer without *Council*: Then said the Duke, I must sub- <sup>Duke.</sup>  
 mit my self as you shall adjudge; I must plead for my Life, Goods, Lands  
 and Children, and for that I esteem most my *Honesty*, and to let *Ho-*  
*nour* pass, my blood will ask *Vengeance*, if I be Condemned unjustly; yet  
 one suite I have to the Judges, to tell me whether the Indictment be per-  
 fect in all or in part, and to which Part I may Answer unto: Then said  
*Catlin*, the Causes being true, the Indictment is sufficient: Then said the <sup>Catlin.</sup>  
 Duke, I would know if they be all Treasons, for I have heard of a Case <sup>Duke.</sup>  
 in *Henry* the Fourth, of the Lord *Scroop*: Then said Mr. *Sands* to the <sup>Sands.</sup>  
 Duke, how saist thou *Thomas* Duke of *Norfolke*; art thou Guilty of these  
 Treasons or not Guilty? The Duke Answered, not Guilty: how wilt thou be <sup>Duke.</sup>  
 Tryed: by God and by my Peeres; I am abashed said the Duke by these <sup>Sands.</sup>  
 Treasons, but yet comforted again by the graciousness of the Queen, in <sup>Duke.</sup>  
 granting me my Tryal which the Laws do admit me, and it is as much as  
 I can require; but yet this suit I shall make to you my Lords Grace, that  
 I may have Justice, and not be over-laid; my Memory is evil of it self,  
 and worse by evil usage since my Imprisonment, I pray God I may forget  
 it. And touching you my Peers, I account my self happy that I shall be  
 tryed by you, into whose hands I dare put my life, nay into the single  
 hands of a great many of you. I know that you have Religion, and will  
 not burthen your Consciences contrary to Law and Right; for trusting to  
 my Innocency, I would never take needles or cowardly flight; I have  
 that is wished for, and crave that with favour and Justice; yet I must  
 confess I have neglected my Duty in matters under Treason; and yet no  
 part of Treason: I desire that in these things my Offences be not mixed with  
 Treason. Then said Mr. *Barnham*, the Queens Serjeant at Law, This In- <sup>Barnham.</sup>  
 dictment contains three several matters of Treason: The first is the Depri-  
 vation of the Queens Majesty: The second is the Relief of Rebels: The  
 third is the Relief of the Scots the Queens Enemies. To prove the first,  
 there be two matters of one fact declared in the said Indictment: First, that  
 knowing the *Scottish* Queen to have Claimed the Crown, he hath attempt-  
 ed Marriage with her: Secondly, the Conspiracy to procure Foreign For-  
 ces to invade the Realm, doth prove him Guilty of these Treasons. The  
 Duke, interrupting him, said, Mr. Serjeant you begin as though you <sup>Duke.</sup>  
 would, in laying the Marriage and other things, which are not Treason,  
 to my Charge, and exasperate the matters which be not Treason; you  
 may do your Duty, yet conscionably: and then, somewhat smiling, he  
 said, I had almost forgotten, a man suspected is half condemned. I have been  
 charged with an Oath, I protest I took the Oath but to part, and that  
 I shall



I shall prove; I pray you lay it not to my Discredit. Then said Serjeant *Barnham*, He that will marry one that Claimeth the Crown, meaneth to *aspire* to the same. This matter begun at the same time, as the Duke was one of the Commissioners, for the hearing of the Cause betwixt the late Scottish Queen, and the Lords of *Scotland*; at which time the Duke took an *Oath* to deal directly therein, and to weigh uprightly both the occasions and answers; wherein, notwithstanding, he dealt *indirectly*, and partially, thereby committing *Perjury*, and disclosing the *Queens Secrets*, if he will deny it, then we will prove it. Then said the Duke, The Case hath divers parts cleane out of the Compass of Treason. Then said Mr. *Barnham*, I require knowledge, if he knew the *Claiming of the Crown*? The Duke did here digress, and answered *not directly*: Wherefore the Lord Steward said, Your Lordship must answer directly. And after upon the urging of *Barnham*, and the *Queens Attorney*, The Duke confessed the Claim, but not the *Continuance*: Then *Barnham* shewed the continuance by her Refusal hitherto to acknowledge the *Queens Majesty* to be *Lawful Queen*, and that she hath not yet *Renounced* her Claim; and yet you have so far dealt with her as being the *Queens Commissioner* to hear the matters, you opened to her the occasions, you gave her instructions how she might deal, that the matters might not come to light; and you conferred with the Bishop of *Rosse* about the same, for proof whereof was shewed the *Examination of Rosse*, taken the Sixth day of *November, 1571*, declaring that the Duke uttered unto him all that he understood of the matter, and promised what help he could; but he spoke nothing of the *Marriage*, but referred all to *Liddington*, who caused the Duke to stay the Conference, and shewed her good will; And how he was sent to accompany the Earl of *Murrey*, and to convey the *Scottish Queens Letters* away, and to counterfeit others; and this was proved by a Letter of the Bishop of *Rosse* to the *Scottish Queen*, where he shewed, that the Duke did Advertise him, that he went about to discredit the *Scottish Queen*, with the people of *England*; that he might be the less able to attempt any thing against the Queen of *England*.

To this matter the Duke answered at large, That *Liddington* onely moved the *Marriage* unto him, which he at that time refused, and that he told the Bishop of *Rosse*, that he could not deal to take up the matter, and therefore to what end should he utter any thing to him, he only shewed it would only turn to his *dishonour*; and that he should never be able to win it out: And then he prayed that *Rosse* might be brought presently before him.

Then was shewed a Letter of the Bishop of *Rosse*, wherein it was contained, that whereas it was appointed, that the Earl of *Murrey* should have been *murthered* in the North, going from *Hampton Court* to *Scotland*: Now because the Duke had communed with the Earl of *Murrey* at *Hampton Court*, touching the same matter; and had his Assent thereunto, the murther should be stayed: There was also a Letter of the Dukes shewed, moving the marriage at that time, and that it should be for the benefit of the whole Island: And yet the Duke, when the Rumour was spread that he went about to marry the *Scottish Queen* as one seeming to be much offended therewith, came to the Queen and shewed her thereof, and found much fault with the said Rumour: and said he misliked her for her former Life, And that the *whole Revenue* of the Crown of *Scotland* (the Charges Deducted) was not so good as his living in *England*; and that he thought himself as good

a Prince in his bowling Alley at *Norwich*, as if he were King of *Scotland*.

All this was affirmed by Mr. *Barnham*, That he heard the Queens Majesty her self speak it, and by the Dukes Examination, taken the Sixth day of *November*, 1571. It is evident. Affirmations of *Barnham*.

Also he said it was further shewed, that at *Tichfield* he had special Commandment not to proceed in that Marriage any further; and that contrary to that Commandment he had proceeded; and yet the Duke himself had conceived an evil Opinion of her; and had declared unto *Banister*, that he thought verily the *Scotish* Queen was privy to the murther of her Husband: All these things were affirmed by *Barnham*, to prove that the proceeding in this Marriage, could be for no other cause, but to Aspire to the Crown. Banister.

Then said the Duke, *This Tear is very far fetched* to prove the deprivation of the Queen, and the destruction of her Person. Duke.

Then said Mr. *Barnham*, to come somewhat near, it is not unknown, that you have gone about to procure it by force, and to have conspired to take the *Tower*; this being true, you must needs go about the destruction of the Queens person: For the Jealousie of a Kingdom is such, as will not suffer them to live, that would hinder the same: And at the same time the Duke departed into *Norfolk* to levy a Force. Barnham.

Also there was Read a Letter written by the Duke to the *Scotish* Queen, that proved the Negotiating the said marriage.

And there was also Read many ill Letters of the *Scotish* Queens sent to *Bothwell*, whereby it could not be that he pretended the Marriage for love of the Queen of *Scots*, but for the Crown of *England*.

As touching the taking of the *Tower*; the Duke said, that *Owen Hopton* Duke. came to him, and advised him to take the *Tower*, which he disliked. Owen Hopton  
Servant to a  
Noble man of  
the Realm.  
Earl of *Penbrook*.

Then said *Barnham*, why did you then afterwards Consult with the Earl of *Penbrook*, touching the same matter? Who discomfited you therein? Duke.

Then said the Duke, what do you gather thereof?

*Barnham* said, they use not to Cut Vines while they be green, that would have them grow again. Barnham.

There was also shewed further, That whereas the Queens Majesty desired to have the *Scotish* Queen, and certain Castles in her Possession, and the Rebels delivered unto her: The Duke gave advise to the *Scotish* Queen to the contrary, and against the Queen of *England*.

Also he was charged, That he went about to procure the *Scotish* Queen to be stolen away, and that after his Submission, wherein he promis'd under his Hand and Seal, never to deal in that matter of the Marriage again.

There was also shewed a Provision, which he shewed to one *Robert Hickford*, which was proved by the Examination of *Hickford*, to whom he shewed the same, terming it a foolish *Gawd*. Hickford.

Then said the Duke, you may perceive I did not esteem of it, when I termed it a foolish *Gawd*. Duke.

Then was brought forth one *Candish*, who was Sworn in this manner. *Candish* his Evidence. The Evidence that you shall give to the Peers and Nobles here assembled, shall be the Troth, and the whole Troth, so help you God, and the Holy Contents of this Book.

The effect of his Evidence was, That being at *South-Hampton* with the Duke, and walking in his Chamber, he gave advise to the Duke to travel

for the Queens good-will in the Marriage of the *Scotish* Queen.  
 Duke. And the Duke answered He *would have her, or else it should cost him his Life.*

Lord Lomley. And at another time the Lord *Lomley* being at *Haywards* place, and talking with the Duke.

Duke. Then the Duke turned unto *Candish*, and asking him, saying, Canst thou accuse me of any thing, I defie thee to thy Teeth.

*Candish.* And he answered, That he would accuse him of nothing except it were about the Marriage. And also the said *Candish* said. That the Duke at *Kemminghall* when he went from the *Charter-House* Church-yard, did say to the said *Candish*, there was nothing to undo them, but the rising of the *Northern* Lords, if they should then arise; and that the Duke did farther ask him if the *Queen* were dead, and whether by means thereof he might procure his Uncle *Candish* to be on his side.

Duke. These matters the Duke utterly denied, and declared of how *small Credit* the said *Candish* was, and how he gave him money; and that he was of no Estimation.

*Candish.* It was further shewed how the Duke sent one *Haber* to the Earls, willing them not to rise, for if they did they were all undone.

There was also shewed a Letter of the *Scotish* Queens writing to the Duke in *Cyphers*, which was Read and Decyphered, which declared her sorrow upon a Rumour, that the Earl of *Northumberland* was taken long before the rising.

Earl of Northumberland. Duke. To all these matters the Duke answered, That it was unlikely that he should thus proceed, if it were true that he were charged with the compassing and imagining the Queens deprivation, and that the chiefest Evidence against him was *Rosse*, who by *Bracton* ought not to be received as a Witness, nor to be credited, and therefore no Evidence to prove any over-fact. Also he further said, that *Haber* never came to the Earls of any such Message, and that he never offer'd to fly, which he might have done, if he had thought himself Guilty. He said also he never esteemed so of those two Earls, that he would trust them with his Life; if they can prove any such thing, he would yield himself Guilty.

*Jarrat.* Then said Mr. *Jarrat*, the Queens Attorney General, you have heard the Attempt of the Marriage, well and sufficiently proved. For the first over-fact, wherein is proved the compassing of the deprivation of the Queens Highness.

Pope, King Philip, Duke of Alva. The Second over-fact is the dealing with the Pope, King *Philip*, and the Duke of *Alva*, for the bringing in of a Power to land within this Realm, which God hath revealed wonderfully according to the saying *nihil est tam occultum quod non revelatur*, when it was first opened, it came by six hundred pounds Delivered and Sealed in a Bag to one of *Shrewsbury*, only for *Fifty Pounds*, who could not be in quiet untill it was opened to some of the Council that then by occasion were here in *London*.

The Queen and the Council understanding of the whole matter, and after by occasion of Letters directed to 40. and 30.

But now it appeareth that by 40 the Duke is meant, and by 30 another noble man.

Dukes Secretary. The Dukes Secretary dealing with *Ranolph* found the *Cyphers* hidden in the Tiles of the House; and found it out by chance. Also a Letter Decyphered by *Hickford* commanded by the Duke to be burnt was found out under the Mat going to the Dukes Chamber.

These



These Matters are to be proved by the Examination of those that are neither indicted nor convicted of Treason.

The Duke hereunto made a large Answer: The effect was,

That it was a Course intended by others, which he wholly *misliked*; and that they should be guilty of their own Treasons; and not to lay it on his Shoulders, to ease themselves.

Then said Mr. *Jarrat*, you had Conference your self with *Ranolph* for the bringing in of 10000 Men out of *Flanders*, to be landed at *Harwich*; whereof 3000 should be Horse-men of proof.

For proof whereof was read the Examination of *Baker* to the ninth Interrogative.

It was further shewed, that *Ranolph* and he conferred about several Letters touching the same matters.

The Letters were, one to King *Phillip*, and the other to the Duke of *Alva*.

And that *Ranolph* should send those Men, and return himself within six Weeks, that the Duke, before the end of the Parliament, might confer with his Friends.

But when these Letters were made, the Duke would not subscribe unto them: and then it was devised by *Rosse*, that the Duke should send *Baker* to the *Spanish* Ambassador, to shew him that the Duke was contented with those Letters, and that they should pass as his, and that he did allow them as his own, and that the Spanish Ambassador should certifye him thereof.

Then said the Duke, My Memory is too weak to answer these many numbers of matters: you of the Queen's Council have *Notes* of all things, and I at a suddain must answer you all.

First, It is very unlikely I should deal with the *Pope*; I had rather be torn with wild Horses than change my Faith.

The unlikeliness of *Harwich* may be sufficient matter to answer all. It is known very well how hard it is for a Power to travel in that Country, which is all Lanes, Ditches and Hedges. If I had gone about any such matter, I would have made provision for Armour: I have not bestowed above ten pound in Armour this ten years, except it were eight Corlets of proof; I have not two Barrels of Gun-powder. All these things I would have provided if I had meant any such things. Also, I would never have sent *Baker* of any such Message; but rather *Banister*, who I trusted better than twenty *Bakers*.

There was then shewed forth a Letter of the Bishop of *Rosses* to the *Scottish* Queen, which he writ since his Imprisonment: which opened the whole matter of the former Discourse.

Then the Duke desired to see the Letter, for he doubted whether it was his Hand.

To whom the Lord Steward spake, and said; you need not doubt but that it is the Hand of *Rosse*.

There was also read a Letter of the Duke's to *Bonells*, written with *Red Oker* since the Duke came into the Tower; willing him to bury the Bag of Letters which *Barker* had laid in a certain place, and to lay it on *Rosse*, whom the Law could not touch, because he was an Ambassador.

The Duke answered, I received a Letter that I had accused divers, and that Letter was Answer to the same: and when I saw such searching, I gave advice in that matter, for the avoiding of further trouble.

There

A Letter.

There was also another Letter of the Duke's, that he could be charged no further than consenting to that: therefore, if he loved his Life, he should take heed whom he accused.

Bromley.

Mr. *Bromley*, the Queen's Solicitor General, shewed Letters of *Radolphe*, sent by *Roffes* Servant to *Charles Bayliffe*: by the which it appeared how the Duke of *Alva* liked the matter, and how he enquired how far *Harwich* was from *London*.

Also he shewed the *Pope's Letters*, dated the fourth day of *May*, containing Answer of the Letters sent by the Duke.

And he further opened, how the whole Course of Conspiracy was opened in *Antwerp* to an Ambassador of a Foreign Prince, who thereof certified his Lord; and that Foreign Prince brought the whole Discourse to the Queen's Majesty: which, because it touched others as well as the Duke, it should be opened to the *Peers*, when they were assembled together by those that were of the Queen's Council.

Wilbrome.

Then Mr. *Wilbrome* made an excellent Discourse for the Credit of the Depositions of *Roffe*, and other the Servants of the Duke.

Duke.

To which the Duke answered, That he could hardly come after so smooth a Tale as the Attorney of the Court of Wards could tell. But yet, said he, in all his Tale he touched nothing what Fear could do. And further cited *Bracton* for the disproof of those Witnesses.

Catlin.

*Catlin* the Lord Chief Justice answered, that in such Cases and matters of Treason, the Depositions of *Strangers* might be taken; and it lay in the *Peers* to credit the same.

Then they proceeded to the second Point of Treason contained in the Indictment. Which was, to prove the Aid of the *Rebels* after they fled. Which was proved by Order given by the Duke to distribute amongst them his great Reward; whereof the Earl of *Northumberland* had part, and the Countess of *Northumberland* and the residue had other parts.

A Letter.

Then was shewed a Letter of the Countess of *Northumberland* of thanks for the same.

Then the *Third* Point of Treason was the Aiding of the Scottish Rebels, the Queen's Enemies. Which was proved by a Letter written by the Duke to *Banister*; and also, by the Examination of *Banister*, and the Delivery of the Money to *Browne* of *Shrewsbury*, and the Earls Letter with the same.

Banister.

Browne.

Duke.

To which the Duke required the Opinion of the Judges, whether the Subjects of another Prince, that Prince being in League with the Queen, may be accounted the Queen's Enemies.

Catlin.

The Lord *Catlin* answered, that they might well enough; as the Queen may War with any Duke in *France*, and have Peace with the King.

Lord Steward.

Then said the Lord Steward to the Duke, Have you any thing else to say.

Duke.

Then said the Duke, I trust to *Law* and *Right*.

Lord Steward.

Then said the Lord Steward; Lieutenant of the Tower, withdraw your

Lieutenant.

Prisoner from us a while.

O yes.

Then was *O yes* made, and Silence proclaimed, and the Lord Steward said:

Lord Steward.

*You, my Lords here have heard, how that Thomas Duke of Norfolk hath been indicted of divers Points of High Treason, and he hath hereunto pleaded Not Guilty, and did put himself upon the Tryal of God and You his Peers. You are*

now

now therefore to consider of his whole Indictment which you have heard, whether he be Guilty, or not Guilty, and thereon say your minds upon your Honours and Consciences. And so he willed them to depart together, and return so soon as they could; and so they departed to a place for that purpose, where the Chancery is kept, and there they conferred in the sight of all that were in the Hall, and when they returned to sit in their places, the Earl of Shrewsbury commanded the Duke to be had further out of hearing.

Earl of Shrewsbury.

Then he asked the youngest Lord; how say you, my Lord De La Ware, is Thomas Duke of Norfolk Guilty of these Treasons that he hath been Indicted of, yea, or no, and he standing up in his place, answered Guilty; and the like question was asked of all the Lords severally one after another, and every one answered Guilty.

Then was the Lieutenant willed to bring his Prisoner to the Bar again, who being put in his place,

Lieutenant.

The Lord Steward said: Thou, Thomas Duke of Norfolk, hast been Indicted of several points of High Treason, and hast pleaded thereunto not Guilty, and hast put thy self upon Tryal of God, and thy Peers, who have all found thee Guilty; what canst thou say, why Judgment should not be given accordingly.

Lord Steward.

The Duke answered, the Lords will be done; God be Judge between me and my false accusers.

There was made a pause a good while, and forthwith the edge of the Ax of the Tower was turned towards him.

Then said Mr. Barnham to the Lord Steward, may it please your Grace to understand how Thomas Duke of Norfolk hath been Indicted of several Treasons, and hath pleaded not Guilty, and did put himself upon Tryal of the Peers who have found him Guilty; I am therefore in the behalf of our Sovereign Lady the Queen to pray Judgment.

Barnham.

Then said the Lord Steward, whereas thou Thomas Duke of Norfolk hast been Indicted of several Treasons, and hast pleaded thereunto not Guilty; and didst put thy self upon Tryal of thy Peers who have found thee Guilty.

Lo. Steward.

Therefore the Court doth award, That thou shalt be had from hence to the Tower, and from thence to be laid upon a Hurdle; and drawn through the midst of the City to Tyburn and there be Hanged until thou be half dead, and then thy bowels to be taken out and burned before thy Face, thy Head to be cut off, and thy Body to be quartered, and thy Head and Quarters to be at Queens Majesties pleasure, and the Lord have have mercy on thy Soul.

Then said the Duke, You have said to me as unto a Traytor; but I trust to God and to the Queen; and forasmuch as I am excluded your company, I trust to be where I shall find better company, I am at the point, I will never sue for mercy: Yet one suit I have to you, my Lords, that it will please you to move the Queens Majesty to be good to my poor Children and to my Servants, and to pay my Debts.

Duke.

Then the Lieutenant was commanded to have him away, and Proclamation was made that every man should depart in Gods Name, and the Peace of the Queens Majesty. And then the Lord Steward brake his Rod, and so all ended, 1571.

Lieutenant.

Lord Steward.

The



The Confession and End of Thomas Duke of Norfolk, beheaded at the Tower-Hill the Second Day of June, Anno Dom. 1572, as followeth, &c.

Duke.

**I**t is not rare, good People, to see a man come to die; although, thanks be to God, since the beginning of the Queens Majesties Reign, in this place hath not been any. But since it is my Fortune to be the first, I pray God I may be the last: Such hath been, and is the mercifulness of her Majesty, whom God long preserve. You know I have been long looked for in this present case of mine, divers times in this place; but by her Majesties Clemency prolonged hitherto: It is not common to see a man of my Vocation to be a Speaker: Nevertheless I will be brief, and gladly shew you the Estates of those offences which my Conscience doth burthen me for: I have been found by my Peers worthy of Death, whereof I do acquit them; for I come not hither to Justifie my self, neither yet to charge my Peers with Injustice; but rather submit my self to this which God hath prepared for me. And thus considering the weakness of my Flesh and Blood, that at such time a mans senses will partly fail, I do mind to divide my Speeches into three parts, desiring you to take it full and whole, and not to tear it in pieces.

Duke.

And first in dealing in matters temporal towards the Queen of Scots, I dealt not as a good Subject, for that I made not the Queens Majesty privy thereunto, which indeed I confess I ought not so to have done; for this offence I was committed to this house [pointing to the Tower,] and upon my humble submission delivered; then making promise to the Queens Majesty, (whom I pray God long to prosper) never to deal in those matters again. But contrary to my submission and Promise made to the Queens Majesty, abusing her Clemency towards me; which hath and doth grieve me more than any one thing hath done; I dealt in this matter again, perfectly for saving my Life, and other Causes which I could alledge.

Sheriff Branch.

Here Mr. Sheriff Branch, standing by the Duke desired him very courteously to make an end as short as might be, for the time did spend.

Then the Duke beginning again said, it hath been bruited, that I took my Oath and received the Sacrament, that I should never deal in those matters again; which is untrue, and yet the Oath too much.

Christopher.

Now Mr. Christopher one of the Officers hearing these words, desired the Duke to be short: We are come hither said he, to see you put to Execution, and we must not delay while these Speeches pass from your mouth, for in this we hazard our Lives.

Then the Duke said, I do not excuse my self; but I come to discharge my Conscience and to acquit my Peers, and not to complain of any injustice, for I have deserved this, and more a great deal; in that I have abused the Queens Majesties mercy towards me; whom once again with Hands lifted up, I pray God long to Preserve and Reign over you, and that my death may be an end of all troubles; and to Augment my fault, it is said I had familiarity with evil dealers: Indeed I will confess and tell you that I never saw, nor never had Conference, but once with one Radolph, and yet never against the Queens Majesty, God is my Judge; although many lewd offers and motions were made to me: For it is well known I had to do with him, by reason I was bound to him by Recognisance for a great sum of Money,

ney, and for two Letters that came from the Pope. I confess I did see them, the one Cyphered, the other Descyphered, I never consented to them; neither was I consenting to the late Rebellion in the North, notwithstanding I come not hither as unguilty.

To the second part, I know I have not onely been thought to be a Papist, a Duke, a favourer of Papists and a maintainer of them, God is my judge before whom I stand (lifting up his Eyes) I thank God I was never a Papist, since I knew what Religion meant, but I did always detest Papistry, and all the vain Toys thereof, embracing ever from the bottom of my Heart the true Religion of Jesus Christ, trusting by the assurance of my Faith in his blood, that is my only Redeemer and Saviour: Indeed I must confess that I had Servants and Friends that were Papists; But if thereby I have offended Gods Church, or any Protestant, I desire God and them to forgive me.

Well now to the Third point, wherein I am to shew how much I am bound to the Queens Majesty for her mercifulness towards me, in that her Majesty hath promised to be good and gracious to my poor Children. I remember good Father Latimer making a Sermon in a more honourable place than this is, out of the Pulpit, (neither do I compare my self to him) He said, That God did often times take away a good and gracious Prince, for the sins and disobedience of his Subjects, which God grant not to be in these days; but that it will please God to continue and increase her Majesties Tears; yea, until the Worlds end, if it be his blessed will and pleasure: You have a most gracious Queen as I must needs confess, and also Godly Religion, therefore look that your Livings and Conversations be answerable to the Religion of Christ, that proves you: That God may prosper the Prince, overthrow the Pope, and maintain your Wealth and Quietness. Let not my Person, good People, make my Speech worse; they that have Factions (I speak not particularly but generally) let them beware they be given over betimes; seek not to breviate Gods doings, lest God prevent yours.

And then the Sheriff hastening him, he turned to the People, and embracing Sir Henry Lee, said, I have, and always have had as true a Heart to my Prince as ever any Subject hath had. And so Sir Henry Lee staying him by the left Arm, he kneeled down and asked the Queens Majesty forgiveness, and rising again, he embraced Mr. Dean of Pauls with a chearful Countenance, and afterwards for the most part shaking those that were on the Scaffold by the hands, and desiring them to pray for him; amongst the rest, the Executioner did on his knees desire forgiveness of his Death, who did very Courteously forgive him; and put into the hand of the Executioner four Sovereigns of Gold and Eighteen Shillings Six pence of Silver: This done the Duke kneeling down, and the Dean of Pauls with him, he made his Prayers to God, and reading the 51 Psalm, saying on the last Verse saving one, which doth say, and build up the Walls of Jerusalem, he paused and said, the Walls of England, good Lord: That Psalm finished, he began to read another, and at the Seventh Verse of the Psalm; he paused and said, I had almost forgotten, but not too late, I ask all the World forgiveness, and I forgive all the World: The Psalm and these words finished, and other Prayers, he wrote one Prayer Counted in effect a Petition to God, that his Faith now at his last hour might not fail, and finishing the Prayer in these words, in Latine and English, saying: In manus tuas Domine commendo Spiritum meum, Lord into thy Hands I commend my Spirit. He rose up and pulled of his Velvet Gown, his Black Sattin Doublet, and his Velvet Night-cap, and gave them to the Executioner, and being in a White Fustian Waistcoat, he said to Mr. Dean

Sheriff.  
Sir Henry Lee.  
Duke.  
Mr. Dean of Pauls.  
Executioner.  
Money.  
His Apparel given to the Executioner.  
of

Block.

of Pauls, this is the White Sattin Doublet I made to die in, which the Preacher did speak of, and so kneeling down at the Block, he laid down himself, and did rise again, and did lay the Straw and other things in such sort, as he might in a more convenient manner yield himself for the speedier Execution;

Mr. Dean.

this done, his Eyes and Hands lifted up, Mr Dean desired the People of silence, and said, Now all together with one voice, pray for him, saying, Lord Jesus receive thy Soul: The Duke yielding himself to the Block, refusing to have any Handkerchief before his Eyes, his Head was by the singular

Head cut off.

dexterity of the Executioner, with the appointed Ax at one Chop cut off, and shewed to all the People.

Thus he finished his Life, and afterwards his Corps were put into a Coffin appertaining to Barking Church, with the Head also, and the Burial-Cloath laid over him, and so was carried by four of the Lieutenants men, and was buried in the Chappel of the Tower, by Mr. Dean of Pauls, 1572.

THE



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THE  
EXAMINATION  
OF  
MARY Queen of SCOTS,  
LYING AT  
Fotheringhay-Castle,  
BY THE  
LORDS  
OF

Her MAJESTIES most Honourable PRIVY COUNCIL,  
AND OTHER  
COMMISSIONERS

Appointed for that purpose, for the Hearing of the same, *Anno Dom.* 1586,

V I Z.

**U**Pon *Wednesday* the twelfth of *October*, 1586. the Lords Commissioners for the hearing of the *Scottish* Queen came to the Castle of *Fotheringhay*, in the County of *Northampton*, about nine of the Clock in the Morning: at which time, in the Chappel of the said Castle, the Dean of *Peterborough* preached before them. And from thence they sent Sir *Walter Mildmay* and Sir *Amias Pawlet*, Governor of the House, to the *Scottish* Queen, to know whether she would appear.

There was delivered unto her a Letter from Her Majesty to that effect. After which Summons, she refused to appear; and so stood all that day, the often required thereunto by some of the Commissioners sent unto her.

Upon *Thursday* they went unto her, into her Lodging, the Lord Chancellor, the Lord Treasurer, the Earls of *Oxford*, *Shrewsbury*, *Kent* and *Worcester*, Viscount *Mountague*, Lord *Zouch*, *Gray* and *Lomley*, Sir *Ralph Sadler*, Sir *James Acrofte*, Mr. Vice Chancellor, Sir *Amias Pawler*, the two Chief Justices of *England*, Doctor *Dale* and Doctor *Ford*, with *Barker* and *Wheeler* Notaries, who remained with her almost two hours; signifying, that if she would not come forth before the Commissioners, they would proceed against her according to their Commission. But that whole day was spent in Council, and sending in unto her.

Upon *Friday* in the Morning she resolved to appear. And so, about nine of the Clock came forth into the Presence-Chamber prepared and hanged with *Cloths of State* in the upper part; and down along both sides stood *Forms* covered with *Green* for the Lords: first, *Earls* on the right side, and *Barons* on the left. Somewhat below the midst of the Chamber was a Bar; within which Bar there was set a Form for the Knights of the Privy Council, and before their Forms, a Chair, with a Cushion and a *Four-carpet*, for the Queen of *Scots*, directly against the *State*. In the middle of the Chamber was a Table, whereat sat the Queens Attorney and Solicitor, the Queens Serjeants, the Clerks of the Crown, and the Notaries. Directly above that Table in the middle of the Chamber were *Forms* set, whereon sat on the right side, the Lord Chief Justice of the King's Bench, the Lord Chief Baron, Doctor *Dale* and Doctor *Ford*: Over against them sat the Lord Chief Justice of the Common Pleas, Justice *Clenco*, and Justice *Perrain*: Below the Bar, such Gentlemen as came to see the Action.

*The right side of the Lords.*

1. The Lord Chancellour.
2. The Lord Treasurer.
3. The Earl of *Oxford*.
4. The Earl of *Kent*.
5. The Earl of *Darby*.
6. The Earl of *Shrewsbury*.
7. The Earl of *Worcester*.
8. The Earl of *Rutland*.
9. The Earl of *Comberland*.
10. The Earl of *Warwick*.
11. The Earl of *Lincoln*.
12. The Earl of *Penbrook*.
13. The Viscount *Mountague*.

*Knights.*

27. Sir *Walter Mildmay*.
28. Sir *Ralph Sadler*.
31. Sir *James*

*The left side of the Lords.*

14. The Lord of *Aburgetvenny*.
15. The Lord *Zouch*.
16. The Lord *Morley*.
17. The Lord *Stafford*.
18. The Lord *Gray*.
19. The Lord *Lomley*.
20. The Lord *Sturton*.
21. The Lord *Sands*.
22. The Lord *Wentworth*.
23. The Lord *Mordaunt*.
24. The Lord *St. John of Bletsoe*.
25. The Lord *Compton*.
26. The Lord *Cheyney*.

*Knights.*

29. Sir *Francis Walsingham*.
30. Sir *Christopher Hatton*.
- Acrofte.

The Lords being thus far, and all things ready, the Queen was brought in, having a way, or Lane made from her Lodging Door, which was in the lower Corner of the Chamber with Halberts.

She was in a black Gown covered over with a white Vail of Lawn; also, a very tall and big woman, being lame, and supported by Melvin her Gentleman, and her Physitian, one of her Women carried up her Train, and three other attended on her; one of her Servants brought her a Chair and a Cushion covered with crimson Velvet, a little before her coming in, her Chair was removed from the bottom of the Chamber to the upper part below the State, and set as it were corner-wise towards the Lords and Barons.

Then silence being made, the Lord Chancellour stood up, and being uncovered, he spake to this effect.

Madam, the Queen being strongly informed of sundry practices by you made against her hath caused this meeting, as hath been signified unto you, you have read the Queens Letters certifying the same, and I must say thus much unto you from her Majesties Mouth, that having born so many things at your hands, she cannot forbear any longer to proceed against you; not for the peril may fall upon her self, for God she trusteth who hath ever defended her, will still deliver her from them.

But there dependeth more upon it, she seeth that you are made a foundation of all practices against her; and if she should forget it, she should neglect the cause of God, and bear the Sword in vain; It is not Malice, Madam, nor regard of her Person, that causeth her to do it.

And albeit she might otherways proceed against you, yet she hath dealt thus, in honour towards you, that you should be heard and speak for your self.

The Queen answered to this effect, by way of Protestation, that she was a free Prince and born a Queen, not Subject to any, but to God, to whom she must give accompt, and therefore that her appearing should not be either prejudicial, to Kings, or Princes, nor Allies nor her Son, and thereupon desired an Act to be made, that is, to have such her Protest Registered by Publick Notaries, and required her own Servants to bear her witness of it.

The Lord Chancellour again protested against that Protestation, That it should in no wise be prejudicial to the Queens Majesty, nor to the Crown of England, and that they all on the behalf of her Majesty required the same to be likewise enacted or Registered.

Then Mr. Powel Clerk of the Crown, read the Commission grounded upon the Statute 27 Eliz.

The Commission being read, the Queen said, I protest that this Law is insufficient, and therefore I cannot submit my self unto it. Then the Lord Treasurer avouched and justified the Law to be sufficient to proceed against her; To whom she replied, that the Law was not made against her.

The Lord Treasurer said, we have Commission to proceed; and if you will not hear, we will proceed against you herein.

Then she said, I will both hear and Answer.

Then arose Serjeant Gawdy, and declared the Statute; and then inferred that the Queen of Scots, there present had offended against both the Branches thereof, viz.

That

First day  
Lords sit  
Queen of  
Scots.  
Her attire  
Supper  
Chair.

Silence, Lord  
Chancellour  
named, Sir  
Tho. Bromley

scot to the  
Lords

scot to the  
Lords

Queen of  
Scots.

Lord Chan-  
cellour.

Mr. Powel.

Lord Treas-  
urer, named Sir  
William Cecil.  
Queen of  
Scots.

Lo. Treasurer.

Qu. of Scots.

Serjeant Gaw-  
dy.



Ballard a Tray-  
tor.

Qu. of Scots.

Mr. Puckering.

Babington a

Traytor.

Qu. of Scots.

That she had been both privy to the Conspiracy of killing the Queens Majesty; and also had her self practised to compass the same; and so ript up the whole Complot from Ballard's first coming into this Realm.

When the Serjeant said, the Queen present was both a mover and a compasser, she bowed her Body, and smiled.

Then Serjeant Puckering pursued the rest of Babington's Letters to her, and her answer again.

The Queen answered, She never had seen Babington, nor ever had Speech with him, nor ever received Letters from him, and that she could stop no man to go beyond the Seas: But let any man (said she) in England, come and say, that I ever did any thing against the Queens Life.

Sands, Babing-  
ton's Confessi-  
on.

Qu. of Scots.

Then Sands the Clerk of the Crown read Babington's Confession, and Serjeant Puckering opened the points.

The Queen said, That being kept from all Intelligence of her Friends and of her Son, it may be she might desire Intelligence; but if any other man hath done, or practised any thing, it is no matter to that purpose: There be some that send me Letters, and I know them not, nor from whence they come.

Clerk of the

Crown.

Qu. of Scots.

The Clerk of the Crown read again Babington's Confession.

The Queen said again, I never wot of any such Letter.

Then was read the Letter of Anthony Babington.

To which she said, If Anthony Babington and all the world say it they lye; but I would see my own Hand writing: And to Babington's Letters to her, she said, I never saw that Letter, nor never heard of it.

Lo. Treasurer

Serjeant Puck-

ering.

The Lord Treasurer proved the receipt of Babington's Letter, and the Serjeant shewed an answer to Babington's Letter from her, in the same Cypher, sent by a Serving man in a blew Coat; and so opened all the points of her answer to Babington.

Qu. of Scots.

When mention was made of the Earl of Arundels, she wept and blubber'd out, saying, *Wo is me that your House hath suffered so much for my sake*, and after having blubber'd a time, she said, if ever I made any such device against the Queen my Sister, then I pray God I may never see his Face. I have written, I confess, about my deliverance; as any Prince kept Captive as I am, might do; but never against the Queen: I confess for the Catholicks delivery from Persecution, I will work, and if I could with my Blood save them from destruction I would, and if it may be so, I pray you lay it upon me, and there-with wept according to her guise.

Lo. Treasurer.

The Lord Treasurer answered, saying, Madam, the Queen puts no man to Death for his Conscience; but they might enjoy the Liberty of their Conscience; if they would live as dutiful Subjects and therefore Madam reform your opinion therein.

Qu. of Scots.

Lo. Treasurer.

The Queen, said she had read it so in a Book.

The Lord Treasurer said, they that did write so, Madam, did write that the Queen of England is no Queen.

Qu. of Scots.

Then she picked a quarrel against Mr. Secretary, that he had been her fore Enemy and her Son's, and had practised with certain persons against her; but said she, Mr. *Walsingham*, I think you are an honest man, and I pray you say in the word of an honest man, whether you have been so unto me.

Mr.

Mr. Secretary rose up and came to the end of the Table, standing in the midst before his seat. saying, Madam, I stand charged by you, to have practised something against you : I call God and the World to Witness, I have done nothing as a *private man* unworthy of an honest man, nor as a publick person unworthy of my calling, I protest before God, that as a Man careful of my Mistresses safety, I have been curious ; and if *Ballard* had offered me his Service, I would have rewarded him : but if he were practised with by me, why did he not plead it for his Life ?

Here again she *wept*, and protested that she would not make Ship wreck of her *Soul* in conspiring against her *good Sister* ; and that those whom Mr. Secretary had set over her as *Spies*, were Spies for her against him, and had likewise told her things of him.

Then the Queen's Attorney proved that the Queen of Scots was *privy to the Conspiracy*, and gave Instructions to her Secretary to write, by him confessed upon Oath, without Constraint ; some in Cyphers, and some translated, according to her direction, into *English*, by *Jaques Nave* and *Gilbert Curle*.

The Queen's Solicitor proved both the Points of the Statute agreeing to the Points of the Commission.

First, That she was privy to the Conspiracy in that she received *Babington's Letters*, wherein the Conspiracy was contained to *kill the Queen* : To which she gave Answer, as hath been deposed by her Secretaries ; who, besides their Oaths and voluntary Confession, did set down, according to their Memory, the Minutes and Points of *Babington's Letters* to the Queen, and her Answer to *Babington* : Wherein, especially, they remember the Points of the Conspiracy particularly confessed also by *Babington*, before he was apprehended, and at large ; when he thought to have executed it, and been advanced by it. He also shewed her Letters and Answers to *Ballard*, *Savadge* and *Tuchborne* : and they confessed it.

Secondly, He proved that she her self did conspire and compass the *Queens Death* ; for, besides the approving of *Babington's Plot*, she addeth in her own Letters the Manner and Order of the Execution of this Designment.

The Secretaries, at the view of her Letters, do write thus ; *Per le expresse Comaundement de la Royen ma Matresse, By the special Commandment of the Queen my Mistress.* Nave and Curle being asked whether it were their Hands, she confessed that she knew it to be their Hands ; and that *Curle* was an honest Man, but she would not be judged by him ; and that *Nave* was the King's Secretary of *France*, and that he had been Secretary to the Cardinal of *Guyse*.

But when she said she knew not *Babington* nor *Ballard*, my Lord Treasurer said : Madam, I will tell you whom you know : You know *Morgain*, who hired *Parry* to kill the Queen ; and after you knew it, you gave him a Pension. Madam, you give Pensions to *Murtherers*.

Then she said, He hath lost all for my sake ; but you give Pensions in *Scotland*, against me, to my Son.

The Lord Treasurer said, The Queen, because the Revenues of the Crown are diminished, giveth the King a *Benevolence*, being her Kinsman.

The Second Day, at her first coming, she renewed her Protestation ; saying, I am *A Sacred and Anointed Queen*, and ought not to be judged by the Law. I am *A Free Prince*, and owe no more to any Prince than

they owe to me. I come hither for the Justification of my Honour, and that which is laid to my charge, that I should do against my Sister. Her Oration was very long, and of many things.

I like not, said she, to take this Course; though I desire the *Catholicks* should be delivered out of their Persecution, I had rather play the part of *Hester* than of *Judith*; to pray for my people, than to take any other way to deliver my People. God forbid that I should deserve to be denied of Jesus Christ before his Father. They gave it out that I was of *no Religion*; for there was a time when I tender'd my self, but they cared not for my Soul. But, my Lords, when you have done all that you can, and put me from that I should have, yet you shall not obtain your Cause of *Mary Steward*. And here she wept and blubbered that they could not conceive her speech. I desire, said she, that another Assembly may be called where I may have my Council: I appeal to God first, who is the *Just Judge*; and to Princes, my Allies.

She wept.

She desireth another Assembly.

Lord Treasurer.

Here my Lord Treasurer said; Madam, We have set down your Protections under a Notaries Hand, and we have protested that your Protestation be not prejudicial to the Crown of *England*.

Queen of Scots.

The Queen said; Indeed, My Lord, you take no Commission but that may serve your own turn; you have done the worst you can: I have often offered, if I might be at liberty, that I would do all duty and labour to quench the Troubles that are made; but I could not be heard. I was made believe that I should be at liberty, and I promised *Hostages* for my Security, my own Son and my Cousin *Guise* his Son.

Lord Treasurer.

The Lord Treasurer answered, it is true the Queen was contented, and so was the Council, you offered Hostages, as you say. But it is as true that the Lords of *Scotland* would not consent that the King should come.

Queen of Scots.

The Queen said, But I told you, that if I might be at liberty, I would effect it.

Lord Treasurer.

Madam, said the Lord Treasurer, the Queen shall set you at liberty, and you shall seek her destruction: for all this practice of your Enlargement was nothing else but a Plot against the Queen; for, even then, when it was adoring, your Man *Morgan* hired *Parry* to kill the Queen.

*Morgan* a Traitor hired *Parry* to kill the Queen.  
Qu. of Scots.  
Ld. Treasurer.  
Qu. of Scots.

My Lord, quoth she, you are my Enemy.

No, said my Lord Treasurer, I am Enemy to the Queen's Enemies.

Was it not reported, said the Queen of Scots, that the Queen of *England* should never be free from Practices until I were set at liberty? and I therefore desired that the occasion might be taken away.

*Mendoza*.

Then was read a Letter to *Mendoza*, the *Spanish* Ambassador, wherein she promised to give the King of *Spain* the Kingdoms of *England* and *Scotland*, if her Son would not be reclaimed from that *Heretic* wherein she said he was misled.

Dr. Allin.

There was also sent a Letter to Doctor *Allin*, wherein she calleth him *Reverend Father in God*; and dealeth with him about the Invasion: and his Letter to her also.

Lord Paget.  
Charles Paget.  
Sir Francis Englefield.  
Qu. of Scots.

There was read her Letters to the Lord Paget, Charles Paget, and Sir Francis Englefield: In every of which Letters she saith, she hath given direction to the *Catholicks* on this side for a Dispatch.

Here she being pressed with Truths of the Conspiracy, and because her own Man had sworn it, she said, she thought *he made no Conscience of an Oath given him*.

Hereat



Hereat the whole House murmured concerning the giving away the Kingdom of *England* to the King of *Spain*: Writing to *Mendoza*, she advi-  
feth him thus; *Let not this be known, for if it should, it would be, in France*  
*the Loss of my Dowry, in Scotland the Breach with my Son, and in England*  
*my total Destruction.*

Murmuring of  
the Lords.

Here Mr. Solicitor remembred the Lords, that if a Foreign Prince had  
the Kingdom, as she would assign it, what should become of their Digni-  
ties and Estates?

Mr. Solicitor.

Madam, said my Lord Treasurer, The Succession of the Crown, who-  
soever hath it, *cannot give it to a Foreign Prince*; it must go, by the Laws  
of the Realm, to a natural *English* Man born. Your Enemies in *Scotland*  
threatned to kill you, and Her Majesty said she would then revenge it; and  
so your Life was assured.

Lo. Treasurer.

At her first rising up she talked long with the Lord Treasurer, coming to  
him to his Seat; alter to Mr. Vice-chamberlain and Mr. Secretary; excu-  
sing her self to them: and used great Insinuations to persuade them. She  
said to the Earl of *Warwick*, that she had heard that he was an Honourable  
Gentleman; desiring him not to believe all things he heard of her: and al-  
so she desired him to commend her to my Lord of *Leicester*; saying, that  
she wished him good Success in his Affairs. To the Judges and Lawyers she  
said, *I pray God bless me from you*; you have sore Hands over them that be  
under you. And to Mr. *Phillips*, *Thou never readeest any good for me*, and so  
the Lords brake up their sitting on *Saturday, October 15. 1586.* at One of  
the Clock in the Afternoon, and adjourned the Commission to the *Star-*  
*Chamber* the 25th. of the same Month.

She talketh  
with the Lord  
Treasurer, Mr.  
Vice-Cham-  
berlain, Mr. Se-  
cretary, and  
the Earl of  
*Warwick*.

To the Judges  
and Lawyers.

Mr. Phillips.

Lds. brake up.

The Court ad-  
journed to the  
*Star-Chamber*.

T H E

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THE  
SCOTISH QUEEN'S  
LETTER  
TO  
ANTHONY BABINGTON

To Renew the Intelligence, as followeth:

V I Z.

*Qu. of Scots  
Letter to  
Anthony  
Babington.*

**M**Y Very good Friend, albeit it be long since you heard from me, not more than I have done from you, it is against my Will; yet would I not you should think I have in the mean while, nor ever will be unmindful of the effectual affection you have shewed heretofore towards all that concerneth me. I have understood, that upon the Renewing of your Intelligence, there were addressed unto you, both from France and Scotland, some Packets for me; I pray you, if any be come to your Hands, and be yet in Place, to deliver them to the Bearer hereof, who will safely convey them unto me; and I will pray to God for your Preservation.

June, the 28th.  
At Chartley.

Your Assured Good Friend,  
MARY REGINA.

*Anthony*

ANTHONY BABINGTON

(The Traytor's)

LETTER

Written by him to the

SCOTISH QUEEN,

As followeth.

**M**ost Mighty, most Excellent, my Dread Sovereign Anthony Babington's Letter to the Scottish Queen.  
Lady and Queen, unto whom I owe all Fidelity and Obedience; It may please your Gracious Majesty to admit excuse of my long silence, and distance from those dutiful Offices, intercepted upon the Remove of your Royal Person from the ancient place of your Abode, to the Custody of a wicked Puritan, and meer Lecestrian, a mortal Enemy both by Faith and Faction to Your Majesty and to the Catholick Estate; I held the Hope of our Country's Weal depending (next under God) upon the Life of Your Majesty, to be desperate, and thereupon resolved to depart the Realm, determining to spend the remnant of my Life in such solitary sort as the miserable and wretched Estate of my Country doth require; only expecting, according to the just Judgment of God, the present Confusion thereof; which God, for his Mercy sake, prevent. The which my purpose being in Execution, and standing upon my Departure, there was addressed unto me, from the Parts beyond the Seas, one Ballard, a Man of Nurture and Learning, and Ballard a Traytor.

M

of



of singular Zeal to the Catholick Cause, and Your Majesty's Service. The Man informed me of great Preparations by the Christian Princes, Your Majesty's Allies, for the Deliverance of our Country from the extream and miserable Estate wherein for a long time it hath remained. Which when I understood, my Spiritual Desire was to advertise, by what means I might, with the hazard of my Life, and all my Friends in general, do your Sacred Majesty one days good Service. Whereupon, most dread Sovereign, according to the great care which those Princes have of the preservation and safe deliverance of Your Majesty's Sacred Person, I advised of means and considered of Circumstances accordingly, to and with so many of the wisest and most trusty as with safety I might commend the Secrecy thereof unto: I do find, by the Assistance of the Lord Jesus, assurance of good Effect, and desired Fruit of your Travel. These things are first to be advised in this great and honourable Action; upon issue of which dependeth, not only the Life of Your Most Excellent Majesty, which God long preserve, to your inestimable Comfort, and to the Salvation of English Souls, and the Lives of all us, Actors therein; but also, the Honour and Weal of our Country, far more dear than our Lives unto us, and the last hope ever to recover the Faith of our Fore-fathers, and to redeem our selves from the Servitude and Bondage which hereby heretofore hath been imposed upon us with the loss of many thousand Souls. First, in the assuring of Invasions, sufficient strength on the Invaders parts to arrive are appointed, with a strong Party at every place, to win with them, and warrant their Landing, the Deliverance of Your Majesty, the Dispatch of the Usurping Competitors. For the effecting of all, may it please Your Majesty to rely upon my Service, I protest before the Almighty, who hath long miraculously preserved Your Royal Person, no doubt, to some universal Good, that what I have said shall be performed, or all our Lives happily lost in the Execution thereof. Which Vow all the chief Actors have taken solemnly; and are upon Assurance, by Your Majesties to me, to receive the Blessed Sacrament thereupon, either to prevail in  
the

*the Churches behalf and Your Majesty's, or fortunately to die for so honourable a Cause. Now, forasmuch as Delays are extreme dangerous, it might please Your most Excellent Majesty, by Your Wisdom to direct us, and by Your Princely Authority to enable us; and such as may advance the Affairs: For, seeing there is not any of the Nobility, at liberty, assured to Your Majesty in this desperate Service, except unknown unto us; and seeing that it is very necessary that some there be to become Heads to lead the Multitude, who are disposed by Nature, in this Land, to follow Nobility: Considering withal, it doth not only make the Commons and Country to follow without Contradiction or Contention, which is ever found in Equality; but also, doth add great Courage to the Leaders. For which necessary Regard, I would recommend some to Your Majesty as are fittest, in my knowledge, to be Your Lieutenants, in the West Parts, in the North Parts, South-Wales and North-Wales, the Countries of Lancaster, Darby and Stafford. In all which Countries, Parties being already made, and Fidelity taken in Your Majesty's Name, I hold them as most assured, and of undoubted Fidelity. My self, with ten Gentlemen of Quality, will undertake the Delivery of Your Person from the Hands of Your Enemies: And for the Dispatch of the Usurper, from Obedience of whom, by executing her, we shall be made free, there be Six Noble Gentlemen, all my private Friends, who, for the Zeal they bear to the Catholick Cause, and Your Majesty's Service, will undertake the Tragical Execution. It resteth, that according to their infinite Deserts, and Your Majesty's Bounty, their Heroical Attempts may be honourably rewarded in them, if they escape with Life; or in their Posterity; and that so much, by Your Majesty's Authority, I may be able to assure them. Now it remaineth only in Your Majesty's Wisdom that it be reduced into Method, that Your happy Deliverance be first, for that thereupon dependeth the only Good, and that the other Circumstances concur; that the Untimely End of the one do not overthrow the rest. All which Your Majesty's wonderful Experience and Wisdom will dispose in so good manner, as I doubt*

*not, through God's Good Assistance, shall take deserved effect :  
for the obtaining of which, every one of us shall think his Life most  
happily spent. Upon the Twelfth Day of this Month I will be at  
Leitchfield, expecting Your Majesties Answers and Letters to exe-  
cute what by them shall be commanded.*

Your Majesties

Faithful Subject, and

Sworn Servant,

*Anthony Babington.*

THE



*The Answer of the Scottish Queen to a Letter written by Anthony Babington, the Traitor, as followeth :*

**T**Rusty and well-beloved ! according to the *zeal* and intire affection which I have known in you towards the *Common Cause of Religion*, and mine, having always made account of you as a Principal and *right Worshy* member to be employed both in the one and in the other ; It hath been no less Consolation unto me to know your estate, as I have done by your last Letter, and to have further means to renew my *intelligence* with you, than I have felt griefs all this while past, to be without the same. I pray you therefore to write unto me hereafter, so often as you can, of all Concurrants, which you may judg in any sort importunate to the good of mine affairs, wherein I shall not fail to correspond with all the care and diligence that shall be by possibility : For diverse great and importunate Considerations, which were here too long to be deducted, I cannot but greatly praise and commend your common desire to prevent, in time, the designment of our enemies, for the extirpation of our *Religion* out of this Realm, with the ruin of us all ; for I have long ago shewed to the *Forreign Catholick* Princes, what they have done against the King of *Spain*, and in the time the Catholicks here remaining, exposed to all persecutions and cruelty, do daily diminish in number, forces, means, and power, so as if remedy be not thereunto *Speedily* provided, I fear not a little but that they shall become altogether *unable for ever* to arise again to receive any aid at all whensoever it is offered. Then for my own part, I pray you assure our principal friends, that albeit I had no *particular interest* in this case, that *all* that I may pretend unto, being of no consideration to me in respect of the *publick good* of the State, I shall be always ready, and most willing to imploy therein my life, and all that I have, or may look for in this world. Now to ground substantially this enterprize, and to bring it to good success, you must examine duly, *First*, What *Forces*, as well on Foot as on Horse, you may raise among you all, and what Captains you shall appoint for them in every *Shire*, in case a *General* cannot be had. *Secondly*, Which Towns, *Ports* and Havens you may assure your selves, as well on the *North, West, and South*, to receive succors, as well from the *Low Countries, Spain* and *France*, as from other parts. *Thirdly*, What place you esteem fittest, and of most advantage to assemble the principal Company of your Forces at the same time, which would be compassed conform to the proportion of your own. *Fourthly*, For how long *Pay*, and Munition, and Ports fittest for their *landing* in this Realm, from the foresaid Three *Forreign Countries*. *Fifthly*, What provision of Moneys and *Armor*, in case you should want, you would ask. *Sixthly*, By what means do the 6. *Gent.* deliberate to proceed. *Seventhly*, The manner of my *getting forth* of this hold. Which points having taken amongst you who are the principal Actors, and also as *few* in number as you can ; the best resolution in my device is, That you impart the same, with all diligence, to *Barnardin de Mendossa*, Ambassador Leiger for the King of *Spain* in *France*, who besides the experience he hath of the Estate on this side, I may assure you, will imploy himself most willingly : I shall not fail to *write* to him of the matter, with all the recommendations I can, as also I shall do in any wise what shall be needful. But you must take *choise* men for the managing of the affairs with the said *Mendossa*, and others out of the Realm, of some faithful and very se-

The Queen of  
Scots Letter  
to Anthony Ba-  
bington the  
Traitor.

King of Spain.

Barnardin de  
Mendossa,  
Ambassador  
to the King of  
Spain.

eret, both in wisdom and personage, unto whom *only* you must commit your selves, to the end things may be kept the more *secret*, which for your own security I commend to your self. If your messenger bring you back again sure promise, and sufficient assurance of the *Succors* which you demand, then thereafter (but not *sooner*, for that it were in vain) take diligent order, that all those on your part make, secretly as they can, provision of *Armor*, fit *Horses*, and ready *money*, wherewith to hold themselves in a readiness to march so soon as it shall be signified unto you by the Chief and *Principal* of every Shire: And for the better colouring of the matter, reserving to the *Principals* the *knowledge* of the *ground* of the enterprise, it shall be enough at the beginning to give it out to the rest, that the said *provisions* are made *only* for the *fortifying* of *your selves*, in case of need, *against* the *Puritans* of this Realm, the *Principal* whereof having the chief Forces thereof in the Low-Countries, as you may let the *bruit* go, disguised, do seek the ruin and overthrow at their return home of the *Catholics*, and to usurp the Crown, not only *against* me and all other lawful pretenders thereto, but *against* their own *Queen* that now is, if she will not altogether submit her self to their government. These precepts may serve to found and establish amongst all associations, or considerations general, as done only for your preservation and defence, as well in Religion as lands, lives and goods, against the oppression and contempts of the said *Puritans*, without directly writing, or giving out any thing against the *Queen*, but rather shewing your selves willing to maintain her and her lawful heirs after her, unnamming me. The affairs being thus prepared, and Forces in readiness, both without and within the Realm, then shall it be time to set the *Six Gent.* on work, taking good order upon the accomplishment of their discharges, I may be suddenly transported out of this place, and meet without tarrying for the arrival of the forrein aid, which then must be hastened with all diligence. Now for that there can be no certain day appointed for the accomplishment of the said *Gentlemens* designment, to the end others may be in a readiness to take me from hence, I would that the said *Gent.* had always about them, or at least at Court, divers and sundry *sco-men*, furnished with good and speedy Horses, so soon as the design shall be executed, to come with all diligence to *advertise* me thereof, and those that shall be appointed for my transporting, to the end, that immediately after they may be at the place of mine abode before my *Keeper* can have advertisement of the execution of the said designment, or at the least, before he can fortifie himself within the house, or carry me out of the same: It were necessary to dispatch two or three of the said advertisers by divers ways, to the end, if one be *staid*, the other may come through: At the same instant it were needful also to assay to *cut off* the *Posts* ordinary ways. This is the *Plot* that I think best for this enterprise, and the order whereby we shall conduct the same for our common security: for stirring on this side before you be sure of sufficient *Forrein* Forces, that were but for nothing to put our selves in danger of following the miserable fortune of such as have heretofore travelled in the like Actions: and if you take me out of this place, be well assured to set me in the midst of a good Army, or some very good strength, where I may safely stay till the assembly of your Forces, and arrival of the said *Forrein* succors. It were sufficient cause given to the *Queen* in catching me again, to inclose me in some hold, out of the which I should never escape, if she did use me no worse, and to pursue with all extremity those that assisted me, which would grieve me more than

than all the unhappines might fall upon my self. Earnestly as you can, look and take heed most carefully and vigilantly to compass and assure all so well, that shall be necessary for the effecting of the said enterprise, *as with the grace of God* you may bring the same to happy end, remitting to the judgement of your principal friends on this side, with whom you have to deal, therein to ordain and conclude upon this present, which may serve you for an overture of such propositions as you shall amongst you find best; and to your self in particular *I refer the Gent. aforementioned*, to be assured of all that shall be requisite for the *intire execution* of their good wills. I leave their common resolution to advice, in case the design do not take hold; as may happen whether they will or no, do not pursue my transport, and the execution of the rest of the enterprise. But if the mishap should fall out, that you might not come by me, being set in the *Tower of London*, or in any other strength, with strong guard; yet notwithstanding, leave not for *Gods sake to proceed* in the enterprise, for I shall at any time dye most contentedly, understanding of your delivery out of the servitude wherein you are holden as *Slaves*; I shall assay, that at the same time that the work shall be in hand, at that present to make the *Catholicks of Scotland to arise*, and put my Son into their hands, to the effect, that from thence our enemies here may not prevail by any succor; I would also that *some stirring* were in *Ireland*, and that it were laboured to begin some time before any thing be done here, and then that the Alarm might begin thereby on the flat *contrary side*, that the stroak may come from your designs, to have some General, or chief aid very permanent; and therefore were it good to send obscurely for the purpose to the *Earl of Arundell*, or some of his brethren; and likewise to seek upon the young Earl of *Northumberland*, if he be at liberty from over the Sea; the Earl of *Westmoreland* may be had, whose hand and name, you know, may do much in the *North parts*; also the Lord *Paget*, of good ability in some Shires thereabouts; both the one and the other may be had, amongst whom secretly some more principal *banished*, may return, if the enterprise be once resolute. The said Lord *Paget* is now in *Spain*, and may treat of all that, by his brother *Charles*, directly by himself, you will commit unto him touching the affairs. Beware that none of your messengers, that you send forth of the Realm, carry any Letters upon themselves, but make their dispatches, and send them either after or before them by some others. Take heed of *Spies* and *false-brethren* that are amongst you, especially of your practice, already practised by your enemies, for your discovery, and in any case *keep never a paper about you* that may in any sort do harm: for from like errors have come the *Condemnation* of all such as have *suffered* heretofore, against whom otherwise nothing could justly have been *proved*; discover as little as you can, your names and intentions to the *French Ambassador*, now Leiger at *London*; for although, as I understand, he is a very honest Gent. yet I fear his Master entertaineth a course far contrary to our designment, which may move him to discover us, if he had any particular knowledg thereof. All this while I have sued to *change* and remove from this house; and for answer, the Castle of *Dudley* only hath been named to serve the turn; so as by approbation, about the end of this Summer, I may go thither: therefore advise so soon as I shall be there, what provision may be had about that part, for my escape from thence. If I stay here, there is but one of these Three ways or means to be looked for. The *First*, That at a certain day appointed for my walking abroad on *horse-back* on the Mores between this and *Stafford*, where ordinarily, you know, but

Earl of Arundell.

Young Earl of Northumberland.

Earl of Westmoreland.

Lord Paget.

Charles Paget.

Beware of Spies &amp; false-brethren.

Queen of Scots counsel to the Traitors.

Dudley Castle.



but few people do pass, let Fifty or Threescore Horsemen, well Mounted and Armed come to take me away, as they may easily, my Keeper having with him but XVIII. or XX. Horses, with only Dogs. The *Second* means, To come at midnight, or soon after, and set fire on the *Barns and Stables*, which you know are near the house, and whilst my Guardians servants shall come forth to the fire, your company having duly on a Mark whereby they may be known one from another, some of you may *surprise the house*, where I hope, with the few servants I have about me, I shall be able to give you correspondent aid. And the *Third* is, some there be that bring *Carts* hither early in the morning; Three Carts may be so prepared, that being in the midst of the *great Gate*, the Carts might fall down, or overthrow; that thereupon you might come suddenly and make your selves Masters of the house, and carry me suddenly away; so you might easily do before any number of Souldiers, who lodg in sundry places forth of this place, some half a Mile, and some a whole Mile, could come to relieve; whatsoever issue the matter taketh, I do, and shall think my self obliged, so long as I live, towards you for the offers you make to hazard your self as you do for my deliverance, and by any means that ever I may have, I shall do my endeavour to recognise by effects your deserts; therein I have commanded a more ample Alphabet to be made for you, which herewith you shall receive. God Almighty have you in his protection.

*Your assured Friend for ever*

Mary Regina.

*Fail not to burn this privately and quickly.*

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*A Letter written to Queen Elizabeth by Anthony Babington the Traitor, the night before he was executed, for mercy and forgiveness, as followeth:*

*Babington's  
Letter to her  
Majesty for  
mercy.*

**M**ost gracious Sovereign! if either bitter tears, or a pensive contrite heart and doleful sigh of a wretched sinner, might work any pity in your Royal Brest, I would wring out of my dreined eyes, as much blood as in bewraying my dreary Tragedy should lamentably bewail my fall, and somewhat, no doubt, move you to compassion; but sith hence there is no proportion betwixt the quantity of my crime and any humane consideration, shew, sweet Queen, some miracle upon a wretch that lieth prostrate in your prison, most grievously bewailing his offence, and imploring such comfort at your anointed hands, as my *poor Wives* misfortune doth beg, my *Childs* innocency doth crave, my *guiltless Family* doth wish, and my heinous treachery doth less deserve; so shall your divine Mercy make your glory shine as far above all Princes, as my most horrible practises are detestable amongst your best Subjects, whom that you may long live, and happily govern, I beseech the *Mercy-maker* to grant for his sweet Son's sake Jesus Christ.

*Your Majesties unfortunate, because disloyal Subject,*

Anthony Babington.

*A Letter*

*A Letter written by Chidiocke Tutchborne, the night before he died, unto his Wife, as followeth: viz. 1586.*

**M**ost loving Wife, I commend me unto thee, and desire God to bless thee with all happiness: Pray for thy dead Husband, and be of good comfort, for I hope, in Jesus Christ, this morning to see the face of my Maker and Redeemer, in the most joyful Throne of his Kingdom. Commend me to all my friends, and desire them to pray for me; and in all Charity to pardon me, if I have offended them; commend me to my Six Sisters, poor desolate souls, advise them to serve God, for without him no goodness is to be expected: were it possible my little Sister *Bab.* the darling of my care, might be brought up, and bred by thee, God would reward thee: But I do thee wrong, I confess, that hast, by my dissolute negligence, so little for thy self, to add further charge unto thee. Dear Wife forgive me, that have by this means so much impoverished thy fortune: Patience and pardon, good Wife, I crave; make of these our necessities a vertue, and lay no further burthen upon my neck than already hath been. There be certain debts which I owe, and because I know not the order of the Law, sithence it hath taken from me all, forfeited by course of my offence, to her Majesty; I cannot advise you to *benefit me* herein: But if there fall out wherewith, let them be discharged for Gods sake: I will not that you trouble your self with these matters, my own heart, but make it known to my Uncles, and desire them, for the honour of God, and ease of *their Nephews soul*, to take care of them, as they may, and especial care of my Sisters bringing up, the burden whereof is now laid upon them. Now sweet Chick! what is left for me to bestow on thee! a small Joynture, a slender recompence for thy deservings: These Legacies following be thy own: God of his goodness give thee grace, always to remain his true and faithful servant, and that through the merits of his most blessed and bitter Passion, thou maist become inheritrix of his Kingdom, with the blessed woman in Heaven. Jesus give thee of his fear, and to his glory all the benefits of this Transitory life; the Holy Ghost bless thee with all necessities for the weal of thy soul, in the world to come; where, till it please Almighty God that I meet thee, farewell loving Wife, farewell, the dearest to me on earth, farewell.

*Tutchborne's  
Letter to his  
Wife.*

*By the hand, from the heart of*

*thy most loving, faithful Husband,*

**Chidiocke Tutchborne.**

**Ecce**

**Certain Verses which the said Tuckborne the Traitor made of himself in the Tower, the night before he suffered death.**

*Tuckborne's  
Verses*

**M**Y prime of Youth is but a frost of Cares,

My feast of Joy is but a dish of Pain :

My Crop of Corn is but a field of Tares,

And all my good is but vain hope of Gain.

The day is fled, and yet I saw no Sun ;

And now I live, and now my life is done.

The Spring is past, and yet it hath not sprung :

The Erwit is dead, and yet the Leaves are green :

My Month is past, and yet I was but young ;

I saw the world, and yet I was not seen.

My Thresh is cut, and yet it is not spun.

And now I live, and now my life is done.

I sought for Death, and found it in my Womb ;

I lookt for Life, and saw it was a Shade :

I trod the ground, and knew it was my Tomb ;

And now I die, and now I am but made.

The Glass is full, and yet my Glass is run.

And now I live, and now my life is done.

**The Examination of Ballard a Priest, Babington, Savidge, Barnwell, Tuckborn, Tylney and Abbington (all executed for High-Treason in Holborn-fields, upon a large Scaffold, made with a high pair of Gallows) as by their own Confessions may appear, and their several speeches at the place of Execution, the 20th of September, 1586.**

September 20.  
1586.

1. Ballard.

**J**OH N Ballard the Priest confest that he had been a dealer in those matters, and that he was guilty of those things whereof he was Condemned, which he protested was never enterprised by him upon any hope of preferment, but only, as he said, for the advancement of true Religion. He craved pardon and forgiveness of all persons, to whom his doings had been any scandal: and so he made an end, making his prayers to himself in Latin, not asking her Majesty forgiveness, otherwise than if he had offended: and so was executed.

2. Babington.

Anthony Babington, Esq; also confessed, that he was come to die, as he had deserved; howbeit he, as Ballard before, protested that he was not led



led into those Actions upon hope of preferment, or for any temporal respect; nor had ever attempted them, but that he was perswaded by reasons alledged to this effect, That it was a *deed lawful and meritorious*. He craved forgiveness of all whom he had any way offended: he would gladly also have been resolved, whether his lands should have been confiscate to her Majesty, or whether they should descend to his brother: But howsoever his request was to the Lords, and others the Commissioners there present, that consideration might be had of one whose money he had received for lands, which he had passed no *Fine* for, for which the conveyance was void in Law; he requested also, that consideration might be had of a certain servant of his, whom he had sent for certain Merchandise into the East Countries, who by his means was greatly impoverished; for his Wife, he said, she had good friends, to whose consideration he would leave her: And thus he finished, asking her Majesty forgiveness, and making his prayers in *Latin*, and so was executed.

*John Sawidge*, Gent. confessed his guilt, and said as the other two before, that he did attempt it, for that, in Conscience, he thought it a *deed meritorious*, and a common good to the weal publick, and for no private preferment: and so was executed. 3. *Sawidge*.

*Robert Barnwell*, Gent. confessed, that he was made acquainted with their drifts, but denied that ever he *consented*, or could be, in Conscience, perswaded, that it was a *deed lawful*; and being urged, that he came to the Court to spie opportunities for the atchieving of their purposes, and that being there, her Majesty observing his *prying looks*, acquainted before with their intents, she prayed God that all were well. To this he answered, that it was not unknown to divers of the Councel, that he had matters which he solicited, which was the cause of his being there at that time; but I confess (said he) at my return, *Babington* asked me what news; to whom I told, that her Majesty had been abroad that day, with all the circumstances that I saw there; and if I have offended her Majesty, I crave forgiveness; and assuredly, if the sacrifice of my body might establish her Majesty in the *true Religion*, I would most willingly offer it up. Then he prayed to himself in *Latin*, and was executed. 4. *Barnwell*.

*Chidiocke Tuckborne*, Esq; began to speak, as followeth: viz. *Country-men* and my dear friends! you expect I should speak something: I am a bad Orator, and my Text is worse: It were in vain to enter into the discourse of the whole matter for which I am brought hither, for that it hath been revealed heretofore, and is well known to the most of this company; Let me be a warning to all young Gentlemen, especially generosis adolescentulis. I had a friend, and a dear friend, of whom I made no small account, whose friendship hath brought me to this; he told me the whole matter, I cannot deny, as they had laid it down to be done; but I always thought it impious, and denied to be a dealer in it: but the regard of my friend caused me to be a man in whom the old Proverb was verified, I was silent, and so consented. Before this thing chanced, we lived together in most flourishing estate; Of whom went report in the Strand, Fleetstreet, and elsewhere about London, but of *Babington and Tuckborne*? no Threshold was of force to brave our Entry. Thus we lived, and wanted nothing we could wish for; and God knows what less in my head than matters of State. Now give me leave to declare the miseries I sustained after I was acquainted with the Action, wherein I may justly compare my estate to that of *Adam's*, who could not abstain one thing forbidden, to enjoy all other things the world could afford: the terror of Conscience awaited me. After I considered the 5. *Tuckborne*.

the dangers whereinto I was fallen, I went to Sir John Peters in Essex, and appointed my horses should meet me at London, intending to go down into the Country: I came to London, and there heard, that all was bewrayed; whereupon, like Adam, we fled into the Woods to hide our selves, and there were apprehended. My dear Country-men! my sorrows may be your joy, yet mix your smiles with tears, and pity my case; I am descended from an house, from two hundred years before the Conquest, never stained till this my misfortune; I have a Wife and one child, my Wife Agnes, my dear Wife, and there's my grief, and six Sisters left on my hands; my poor servants, I know, their Master being taken, were dispersed, for all which I do most heartily grieve; I expected some favour, though I deserved nothing less, that the remainder of my years might in some sort have recompensed my former guilt, which seeing I have missed, let me now meditate upon the joys I hope to enjoy. Thus done, he prayed first in *Latin*, and then in *English*, asking her Majesty, and all the world, heartily, forgiveness, and that he hoped stedfastly, now at this his last hour, his faith would not fail; and so was executed.

6. *Tyney.*

Charles Tyney said, I am a Catholick, and believe in Jesus Christ, and by his Passion I hope to be saved; and I confess, I can do nothing without him, which opinion all Catholicks firmly hold; and whereas they are thought to hold the contrary, they are in that, as in all other things, greatly abused. To Dr. White, seeming to School him in Points of Religion, differing from those which he held, he spake in an anger, I came hither to dye, Doctor, and not to argue. He prayed in *Latin* for himself, and after he prayed for Queen Elizabeth, that she might live long; and warned all young Gentlemen, of what degree or calling soever, to take warning by him; and so he made an end, and was executed.

7. *Abbington.*

Edward Abbington said, I come hither to dye, holding all points firmly that the Catholick Church doth; and for the matters whereof I am condemned, I confess all, saving the death of her Majesty, to the which I never consented. He feared, as he said, great bloodshed in England before it were long: Sheriff Ratliffe said, Abbington, feest thou all these people, whose blood shall be demanded at thy hands, if thou dying, conceal that which may turn to their peril; therefore tell why, or which way such blood should be shed: he said, All that I know, you have of record: and at last, said he, this Country is hated of all Countries for her iniquity, and God loves it not; and being urged by Dr. White, to be of a lively faith; he answered, he believed stedfastly in the Catholick faith: the Doctor asked him, how he meant, for I fear me, said he, thou deceivest thy self: he answered, That Faith and Religion which is holden, almost, in all Christendom, except here in England. Thus done, he willed them not to trouble him any longer with any more questions, but made his prayers to himself in *Latin*, and so was executed.

**The Examination of Salsbury, Donne, Jones, Charnock, Travers, Gage and Bellamy; all executed for High-Treason in the place aforesaid (as by their own Speeches and Confessions did appear): And also their several Speeches at the place of Execution, the 21st of September, 1586. viz.**

**T**homas Salsbury, Esq; said, Sithence it hath pleased God to appoint *3. Salsbury* this place for my end, I thank his infinite goodness for the same; I confesse that I have deserved death, and that I have offended her Majesty, whom to forgive me I heartily beseech, with all others whom I have any way offended; I desire all true Catholicks to pray for me; and I desire them, as I beseech God they may, to indure with patience whatsoever shall be laid upon them, and never to enter into any action of violence for remedy: then he said his prayers, looking earnestly with his eyes to Heaven, and prayed in *Latin* a long while: when he had thus done, he cryed in *Latin* and *English*, Father forgive me; and so was executed.

*John Donne*, Yeoman, said, Do the people expect I should say any thing? *9. Donne.* I was acquainted, I confesse, with their practises, but I never did intend to be a dealer in them: Babington oftentimes requested me to be one; and said for that he loved me well, he would bestow me in one of the best Actions; which should have been the delivery of the *Queen of Scots*, to which I could not for a long time agree; at length, by many urgent perswasions he won me, so as I told him, I would do my best: and being asked as he was ascending the Ladder, whether he thought it lawful to kill her Majesty: he answered, No, no; for I take her to be my lawful and natural Prince; and as Salsbury, he desired all Catholicks to indure with patience, and never to attempt any thing against her Majesty, under whose Government he had lived quietly, until within these Ten Weeks, that those things were first imparted unto him; and whereas he was indebted to divers, and divers in like manner to him, he forgave all that was owing to him, and craved forgiveness of what he owed: He desired God to forgive Babington, the only cause of his fall and death; and was right sorry for a Gentlewoman, one Mrs. Bellamy, at whose house he, with the rest, were relieved, after they fled; he prayed God, whom he had chiefly offended, next her Majesty; and last of all the people, forgiveness; saying, no soul was more sorrowful than his, nor none more sinful; and prayed for her Majesty, wishing she might live in all happiness, and after this life, be eternized in everlasting bliss; and so he prayed in *Latin* and *English*, and was executed.

*Edward Jones*, said, I come hither to die, but how rightfully God knows; *16. Jones.* for thus stands my case, At Trinity Term last, Mr. Salsbury made me acquainted with their purposes: and for that he knew me to be well horsed, he thought me as fit as any, to attempt the delivery of the *Queen of Scots*, and requested me to be one, which I utterly denied, altogether misliking their practises, and perswading him, by what means I might, from it; and told him, this was the haughty and ambitious mind of Anthony Babington, which would be the destruction of himself, and friends, whose company I wished him to refrain; and for that I would have him out of his company, I have divers times lent him mo-



key, and pawned my Chain and Jewels to buy him necessaries, to go into the Country; and whereas I had made conveyance of my lands to divers uses, with some Annuities, and placed my Wife with my friends, and given over house-keeping, and by reason of my conscience, thought to live at ease; I called my servants together again, and began to keep house more freshly than ever I did, only because I was weary to see Salisbury's stragglings, and for that I was willing to keep him about home; and never consented to any of his Treasons, but always advised him to beware; for though I was, and am a Catholick, yet I took it to be a most wicked act, to offer violence to my natural Prince. I did intend to go into Ireland with Mr. Edward Fitton, and there to have served; until at length, very shortly after, this my determinate mind being not settled, I received a Note of their names, amongst whom was the name of my dear friend: Then I began to fear what hath happened; I heard that night he would be at my house; and indeed he came thither about Twelve of the Clock, and the door being opened him, as he was very familiar with me, he came running up to my Bed-side with a candle in his hand, which he took from one of my men, saluting me with these words, Ned Jones how dost thou? Ah! Tom, said I, art thou one of them that should have killed the Queen; yea, said he; what meanest thou by that? see, and read this, said I, giving him the Note wherein his name was; he seeing, turned about and said, there be many Catholicks in England as far in this Act as we are; the more the worse, quoth I. Here is the sum of my fault, in which, I know I have offended her Majesty, First, Because I did conceal it at London. And Lastly, Because I did not apprehend my dear friend Tom, being in my house; for which fault I am heartily sorry, and do ask her Majesty forgiveness. There is one thing wherein I am to move you, concerning my debts; I have set them down so near as I could, what they are: good Sir Francis Knowles. I shall intreat you to be a mean to her Majesty, that there may be some care had of my Creditors and debtors.

The debts which I owe, do amount, in the whole, to 980. l.

The debts which are owing me, are 1600. l.

But who shall look into my Compting-house, shall find many of 100. l. 200. l. or 300. l. whereof all is discharged, except of some 50. l. and some 40. l. and such like, without any defeasance, and lye only in my credit; so that unless some man of conscience enter into the Action of my Compting-house, it is like to be the utter undoing of a number; but God he knows my mind, and I hope it shall not be laid to my charge; and so concluded with his prayers, first in Latin, and then in English, that the people might better understand what he prayed: and so was executed.

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|----------------|--------------------------------|
| 11. Charnocke. | John Charnocke, Gent. excuted. |
| 12. Travers.   | John Travers, Gent. excuted.   |
| 13. Gage.      | Robert Gage, Gent. excuted.    |
| 14. Bellamy.   | Jeremy Bellamy, Gent. excuted. |

*Queen Elizabeths Letter directed to Sir Amias Paulet, Knight,  
Keeper of the Queen of Scots, at the Castle of Fotheringhay,  
viz.*

**A** *Mias*, my most faithful servant ! God reward thee treble-fold in the double of thy most troublesome charge, so well discharged ; if you knew, my *Amias*, how kindly, besides dutifully, my grateful heart accepts your double labours, and faithful actions, your wise orders, and safe regards, performed in so dangerous a charge, it would ease your travel, and rejoice your heart, in that I cannot ballance, in any weight of my judgment, the value that I prise you at, and suppose no treasure to countervail such faith ; and shall condemn my self, in that thought I never committed, if I reward not such deserts ; yea jet me lack, when I most need, if I acknowledg not such a merit with a reward, not *omnibus datum* ; but let your wicked Murthereſs know, how with hearty sorrow her vile deserts compel these Orders ; and bid her, from me, ask God forgiveness for her treacherous dealing against my life many years, to the intollerable peril of her own : and yet not content with so many forgivenesses, but must fall again so horribly, far passing a womans thought, much less a Princes ; instead of excusing whereof, not one can serve it, being so plainly confessed by the Author of my guiltless death : let repentance take place, and let not the Feind possess her, so that the better part be lost, which I pray, with hands lifted up, to him that can both save and spill, with my most loving adieu, and prayer for thy long life.

Her Majesties  
Letter to Sir  
*Amias Paulet.*

*Your assured and loving Sovereign,*

*as heart, by good desert, indureth,*

Elizabeth Regina.

*The Commission for executing the Queen of Scots.*

**E** *LIZABETH*, by the Grace of God, Queen of England, France and Ireland, &c. To our trusty and well-beloved Cousins, George Earl of Shrewsbury, Earl Marshal of England, Henry Earl of Kent, Henry Earl of Darby, George Earl of Comberland, and Henry Earl of Pembroke, greeting, &c. Whereas sithence the Sentence given by you, and others of our Council, Nobility and Judges, against the Queen of Scots, by the name of *Mary*, the Daughter of *James* the 5th, late King of Scots, commonly called the Queen of Scots, and *Dowager* of France, as to you is well known ; All the States in the last Parliament assembled, did not only deliberately, by great advice, allow and approve the same Sentence as just and honourable,

ble, but also with all humbleness, and earnestness possible, at sundry times require, solicit, and press us to direct such further execution against her Person, as they did adjudg her to have daily deserved; adding thereunto, that the forbearing thereof, was, and would be daily certain and undoubted danger, not only unto our own life, but also unto themselves, their posterity, and the publick estate of this Realm, as well for the Cause of the Gospel; and true Religion of Christ, as for the Peace of the whole Realm: whereupon we did, although the same were with some delay of time, publish the same sentence by our Proclamation, yet hitherto have forbore to give direction for the further satisfaction of the aforesaid most earnest requests, made by our said States of our Parliament, whereby we do daily understand, by all sorts of our loving subjects, both of our Nobility and Council, and also of the wisest, greatest, and best devoted of all Subjects of inferiour degrees, how greatly, and deeply from the bottom of their hearts, they are grieved and afflicted with daily, yea hourly fears of our life, and thereby consequently with a dreadful doubt and expectation of the ruin of the present happy and godly estate of this Realm, if we should forbear the further final execution, as it is deserved, and neglect their general and continual requests, prayers, counsels and advices, and thereupon contrary to our natural disposition in such case, being overcome with the evident weight of their counsels, and their daily intercessions, importing such a necessity, as appeareth, directly tending to the safety not only of our self, but also to the weal of our whole Realm: We have condescended to suffer Justice to take place; and for the execution thereof, upon the special trusty experience and confidence which we have of your loyalties, faithfulness and love, both toward our Person and the safety thereof, and also to your native Countries, whereof you are most noble and principal members, we do will, and by Warrant hereof do Authorize you, as soon as you shall have time convenient, to repair to our Castle of *Fotheringhay*, where the said Queen of *Scots* is in custody of our right trusty and faithful servant and Councillor, Sir *Amias Paulet*, Knight; and then taking her into your charge, to cause by your Commandment execution to be done upon her Person, in the presence of your selves, and the aforesaid Sir *Amias Paulet*, and of such other Officers of Justice as you shall command to attend upon you for that purpose; and the same to be done in such manner and form, and at such time and place, and by such persons, as to five, four or three of you shall be thought, by your discretions, convenient, notwithstanding any Law, Statute or Ordinance to the contrary: And these our Letters Patents, sealed with our great Seal of *England*, shall be to you, and every of you, and to all persons that shall be present, or that shall be, by you, commanded to do any thing appertaining to the aforesaid execution, a full sufficient Warrant, and discharge for ever. And further, we are also pleased and contented, and hereby we do will, command, and authorise our Chancellor of *England*, at the requests of you all, and every of you, the duplicate of our Letters Patents, to be to all purposes made, dated and sealed with our great Seal of *England*, as these presents now are: In witness whereof, we have caused these our Letters to be made Patents. Yeoven at our Mannor of *Greenwich*, the 1<sup>st</sup> day of *February*, in the 29<sup>th</sup> year of our Reign.

08avo die Febi  
1586.

First, After she was brought down by the Sheriff, to the place prepared in the Hall, for that purpose, by the commandment of the Earls of *Shrews-*

bury



*bury and Kent*, her Majesties Commission, aforesaid, was openly read: Then according to a direction given to Dr. *Fletcher*, Dean of *Peterborough*, he was willed to use some short and pithy Speech, which might tend to admonish her of the nearness of her end, and the only means of salvation in Christ Jesus. As soon as he began to speak, she interrupted him, saying, she was a Catholick, and that it was but a folly, being so resolutely determined, as she was, to move her otherwise, and that our prayers could do her little good.

On *Wednesday*, the 8th of *February*, 1586. there assembled at the Castle of *Fotheringhay*, the Earls of *Shrewsbury* and *Kent*, with divers Knights and Gentlemen, Justices of Peace in the Counties there; and about Eight of the Clock the Earls, and the Sheriff of the Shire, went up to the *Scottish* Queen, whom they found praying on her knees, with her Gentlewomen and men; and the Sheriff remembring her the time was at hand, she rose up, and said, she was ready; then was she led, by the arms, from her Chamber, unto the Chamber of Presence, where, with many exhortations to fear God, and live in obedience, kissing her women, and giving her hand to her men to kiss, praying them all not to sorrow, but to rejoice, and pray for her; she was brought down the Stairs by two Souldiers; and being below, and looking back, she said she was evil attended; and besought the Lords that she might, for womanhood sake, have two of her women to wait upon her: they said, they were only withheld, for that it was feared by their passionate crying they would much disquiet her spirit, and disturb the execution: then she said, I will promise for them they will do neither; so two, whom she willed, were brought in to her. Then she spake much to *Melin*, her man, and charged him, as he would answer before God, to deliver her Speeches and Messages to her Son, in such sort as she did deliver them. All which tended to will him to govern wisely, and in the fear of God; to take heed to whom he betook his chiefest trust; and not to give occasions to be evil thought on by the Queen of *England*, her good Sister: And to certifie him, she died a true *Scot*, true *French*, and true *Catholick*. And about 10 of the Clock she was brought into the great Hall, where, in the midst of the Hall, and against the Chimney (in which was a great fire) was a Scaffold set up of two Foot high, and Twelve Foot broad, having two Steps to come up; about the Scaffold went a Rail, half a Yard high round, covered with black Cotton, so was her Stool, the Boards, and the Block, and a Pillow to kneel upon: There did sit upon the Scaffold, the two Earls, the Sheriff stood, and the two Executiones: When they were placed, Mr. *Beale*, Clerk of the Council did read her Majesties Commission aforesaid, under the great Seal: after which, the Dean of *Peterborough*, by direction of the Lords, being provided, began to speak unto her, for her better preparation, to die as a penitent Christian in the true faith of Christ. But when he began his exhortation, she staid him immediately, refusing to hear him, and said, she had nothing to do with him, nor he with her, for she was settled in the Catholick Roman Faith, which she would die in. Then the Earl of *Kent* willed Mr. Dean to pray for her, that if it might stand with Gods Will, she might have her heart lightned with the true knowledg of God, and die therein; which was pronounced by him accordingly, and followed of the beholders: All which while, she having a Crucifix of white bone between her hands, prayed in *Latin* very loud: prayer being ended, she kneeled down, and prayed to this effect, for Christs afflicted Church,

and

and an end of their troubles, for her Son, for the Queens Majesty that she might prosper, and serve God; and confessed, that she hoped to be saved only by the blood of Jesus Christ, at the foot of whose Crucifix she would shed her blood; that God would avert his plagues from this Island, that God would give her grace and forgiveness of her sins. Then she rose up, and was, by both the Executioners, disrobed: She said, she was not wont to be undressed by such Grooms, and desired to have two of her Gentlewomen to unrobe her; the which was granted, and being stripped into her Petticoat; which being done, she kissed her women, and willed them not to cry for her, but to rejoice; and lifted up her hand and blessed them, and also her men, not standing far off. Then she kneeled down most resolutely, without all fear of death; and after one of her women had knit a Kerchew before her eyes, she spake aloud the Psalm in *Latin*, *In te Domine confido, non confundor in eternum. Justitia tua libera me.* Then lay she down, and stretched out her body, and her neck upon the Block; she cried, *In manus tuas Domine, &c.* and so received two stroaks. The people cried, God save the Queen, and so perish all Papists and her Majesties enemies.

All things were taken from the Executioners, and not suffered to have so much as the Aprons, before they were washed; the Blood, and Cloaths, and whatsoever was bloody, was burned in the fire made in the Chimney, in the Hall, and by the Scaffold.

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*The whole discourse of the Arraignment of Philip Howard, Earl of Arundel, the 18th day of April 1589. and in the 31st year of the Reign of Queen Elizabeth.*

The form of  
the Scaffold.

FROM the outward Bar in the *Kings-Bench*, was there a Court made of Thirty Foot square, within which was a Table of Twelve Foot square, covered with Green Cloth; and in the same Court were Benches to sit upon, covered with Green Say; in the midst of the same Court, at the upper end, was placed a *Cloth of State*, with a Chair and Cushion, for the Lord Steward; from the midst of the same Court, to the midst of the Hall, was built a *Gallery* for the Prisoner to come upon to the Court, in length One Hundred and Ten Foot, and in breadth Fifteen Foot, and in height from the ground Six Foot, railed round about, and going down with Seven Steps.

Earl of Derby;  
Lord Steward.

Between Eight and Nine of the Clock in the morning, the Earl of *Derby*, Lord Steward his Grace, entered the Hall, attended on by divers Noblemen and Officers, Four Serjeants at Arms, with their *Maces* waiting before him; next before his Grace the Earl of *Oxford*, Lord great Chamberlain of *England*. My Lord of *Derby's* Grace being seated in his Chair of State, every Nobleman was placed in his degree, by Garter King of *Heralts*.

At

At his Graces feet did sit Mr. *Winckesfield*, one of her Majesties Gentlemen-Ushers, holding a long *white Wand* in his hand, being accompanied with Mr. *Norris* Serjeant of the Garter.

Before them did sit Mr. *Sands*, Clerk of the Crown of the *Kings-Bench*.

Opposite against my Lord's Grace did sit the Queens Majesties Learned Council. viz.

1. Sejeant *Puckering*.
2. Serjeant *Shettlemworth*.
3. Mr. *Popham*, the Queens Attorney-General.
4. Mr. *Edgerton*, the Queens Solicitor.

*The Names of the Commissioners on the right hand, sitting upon a lower Bench, under the Lords of the Jury.*

1. **S**IR Francis Knowles, Knight, Treasurer of the Household.
2. Sir James Acroste, Knight, Controler of the Household.
3. Sir John Parrat, one of her Majesties most Honourable Privy-Council.
4. Mr. Woolley, Secretary of the *Latin* tongue, of the Privy-Council.
5. John Fortescue, Master of the Wardrobe, and of the Privy-Council.
6. Dr. Dale, one of the Masters of Request to her Majesty.
7. William Fleetwood, Serjeant-at Law, and Recorder of *London*.
8. Mr. Rockby, Master of Requests, and Master of St. Katherine's.

Commissioners on the right hand.

*The Names of the Commissioners on the left hand.*

9. **T**HE Lord Chief Justice of *England*.
10. The Master of the Rolls.
11. The Lord Chief Justice of the Common Pleas.
12. The Lord Chief Baron of the Exchequer.
13. Justice *Perryman*, of the Common Pleas.
14. Justice *Gandy*, of the Kings Bench.

Commissioners on the left hand.

The Serjeant at Arms, usually attendant on the Lord Chancellor, named *Roger wood*, was commanded to make an *O Yes* Three times.

Then Mr. *Sands*, Clerk of the Crown read the Commission.

And Sir Francis Knowles, Knight, gave up the Verdict of the great Verdict, Affize.

Then was called *Mathew Spencer*, Serjeant at Arms, to return his Precept, which was returned and read.

After



After that, the Noblemen and Peers of the Jury, for his Tryal, were severally called by their Names, as followeth:

1. *William Lord Burleigh, Lord Treasurer of England.*
2. *Edward of Oxford, Lord great Chamberlain of England.*
3. *William Lord Marquels of Winchester.*
4. *Henry Earl of Kent.*
5. *Henry Earl of Suffex.*
6. *Henry Earl of Pembroke.*
7. *Edward Earl of Hartford.*
8. *Henry Earl of Lincoln.*
9. *Henry Lord Hundsdon, Lord Chamberlain of her Majesties Household.*
10. *Peregrin Lord Willoby, and Earsby.*
11. *Lord Morley.*
12. *Lord Cobham.*
13. *Arthur Lord Gray.*
14. *Lord Darcy of the North.*
15. *Lord Sands.*
16. *Lord Wentworth.*
17. *Lord Willoughby of Parham.*
18. *Lord North.*
19. *Lord Rich.*
20. *Lord St. John of Bletsoe.*
21. *Lord Buckburst.*
22. *Lord De La Ware.*
23. *Lord Norris.*

**Lieftenant.** Then the Lieftenant of the Tower was called to return his *Precept*, and to bring forth his Prisoner, *Philip Earl of Arundel*. The Earl came into the Hall, being in a wrought *Velvet Gown*, furred about with *Martins*, laid about with *Gold Lace*, and buttoned with *Gold Buttons*, a *Black Satten Doublet*, a pair of *Velvet Hose*, and a long *high Black Hat* on his head; a very tall man, looking somewhat *Swarth-coloured*.

**His Apparel.**

**Prisoner brought to the Barr.** Then was the Earl brought to the Bar, with the Axe carried before him by Mr. *Shelton*, (Gent. Porter of the Tower) being accompanied with Sir *Owin Hopton*, Knight, Lieftenant of the Tower, Sir *Drew Drewry*, Constable of the Tower for the time, Mr. *Henry Bronkard*, and others.

At my Lord of *Arundel* his coming to the Bar, he made two *Obeysances* to the *State*, and to the Nobles, and others there present.

Then did Mr. *Sands*, Clerk of the Crown, say, he was Indicted of several Treasons, and said unto him,

*Philip Howard, Earl of Arundel, late of Arundel, in the County of Suffex*, hold up thy hand.

He held up his hand very high, saying, *Here is as true a mans heart and hand, as ever came into this Hall.*

Mr. Sands then read the Indictment.

**T**hat whereas divers traiterous persons, in the parts beyond the Seas, being *Indictment* natural English men, viz. Dr. Allen, Parsons, Champion, Mote, and divers others, have heretofore, divers and sundry times, with sundry persons, as well English men, as of other Countries, practised to accomplish, and bring to pass several dangerous and unnatural Treasons against the Queens Majesty, her Royal Person, Crown and Dignity, viz. to subvert the State, invade the Realm, to set up Catholick Religion, to raise Insurrections, &c. Amongst which number of unnatural Traitors, the Earl of Arundel was well acquainted with that notorious Traitor, Dr. Allen, by means of Bridges Weston, Itell, and other Popish Priests, with whom divers times, sithence the 20th year of her Majesties Reign, he hath had private and secret conference, and communication of several Treasons; insomuch, that the Earl of Arundel did presently dispatch his several Letters by Bridges aforesaid, to Dr. Allen, to wish him at any hand to do something concerning the Cause Catholick; wherein he promised to perform any thing that Dr. Allen should think fit for him to do. And whereas the 24th day of April, in the 27th year of the Queens Reign, he was flying by Sea to Dr. Allen, that Arch-Traitor, and that the Bishop of Rome and the King of Spain were thereupon solicited by Allen aforesaid, to raise war against this Realm. And whereas also the Earl of Arundel had understanding of a Bull that Sixtus the fifth, Pope of that name, had sent into England for the excommunication of her Majesty, and for the invading of the Realm, &c. And that at the Tower, the 21st of July, in the 30th year of her Majesties Reign, he did imagine, with other traiterous persons, that the Queen was an Heretick, and not worthy to govern the Realm; and that he did move and procure one William Bennet, a Seminary Priest, to say Mass for the happy success of the Spanish Fleet; whereupon he had Mass, and did help to say Mass himself, to that purpose: And having news of the conflict at Sea, betwixt the Spanish Fleet and the English, he procured Sir Thomas Gerrard, and divers others, then Prisoners in the Tower, to say Mass with him for the fortunate success of Spain; and that he made a prayer specially for that purpose, to be daily used and exercised amongst them.

**H**ereupon Mr. Sands asked the Earl of Arundel if he were guilty, or not Sands. guilty of the several Treasons comprised in the said Indictment.

To this the Earl answered, he would fain know, whether the several Earl. points in the Indictment contained, were but one Indictment yea or no.

The Judges satisfied him, it was but one Indictment, and a matter he Judges. need not stand upon.

My Lord vouched a Case in *Edw. 3.* and in the end said, *not guilty*; and Earl. was well content to be tryed by his Peers, and liked the Tryal well, that he should be tryed by such good Noble-men there present, that knew his Life: He said he had been Prisoner four years, and 25 weeks close Prisoner, and that he had been sick and weak, whereby his memory might

fail him; and therefore humbly desired my Lord Steward's Grace, making Three several Obeysances on both knees, that he might be heard to make answer to every particular point.

*Lo. Steward.* My Lord Steward answered, that there was no other meaning, nor intent, and that he should be heard deliberately.

*Puckering.* Then did Mr. Serjeant *Puckering* deliver to the Lords of the Jury, the effect of the Indictment, and other Evidence at large, as followeth:

*Conference with Traitors.* First, that my Lord had private and secret Conference with *Bridges* aforesaid, and divers other *Traitors*, and *Seminary Priests*, and that he had written his Letters to Dr. *Allen* to find which way he might further the Cause Catholick.

*Fasting and Prayer.* That he did Fast twenty-four hours, and prayed for the happy success of the *Spanish Fleet*.

*Traitors that should kill the Queen.* That *Allen* and others being arrant Traitors had taken order that in the 22d year of her Majesties Reign, there should be 30 men in *privy Coats*, and *pocket daggers* to kill the *Queen*; and that one *Pain*, and one *Elliott*, were put in trust to perform the same.

That my Lord was a Catholick, and favoured their proceedings.

*Earl.* My Lord answered, he was no Catholick in the 22th. year of the Queens Reign.

*His flying out of the Realm.* That he secretly was flying out of the Realm to Dr. *Allen*, being an Arch-Traitor, which doth argue my Lord to be no good Subject.

*Throckmortons Opinion.* That *Throckmorton* practising his Treasons by *fouling* the Ports, he did set down in his Catalogue that a South-west wind would serve from *Spain* to *Arundel Castle* in *Sussex*, and an Easterly wind from the Low-Countries.

That in *Throckmortons* Catalogue of all the names, of all the Noblemen and Gentlemen of every Shire that affecteth the Catholicks, he began in *Sussex*, and set down the *Earl of Arundels Name* the first.

*Mott a Priest.* That further, one *Mott* a Priest informed *Throckmorton*, that he was come over to found the intents of the Earls of *Arundel* and *Northumberland*, and others.

*Earl.* My Lord answered, when *Mott* was in *Sussex*, he never came there, but always attended at Court.

*Puckering.* Mr. *Puckering* said, the Traitors have a good Conceit of my Lord of *Arundel*, in knowing him to be affected to the Catholick Cause.

It was defined that the Catholick Cause was meer Treason.

*Petro Paulo Rossitto* came over to sound Noblemen and Gentlemen in England.

*Earl.* Then said my Lord, how prove you me to be a Traitor in these points?

*Popham.* Because, said Mr. *Popham*, you have confederated with Traitors by desiring Dr. *Allen* in your Letters to employ you any way that concerned the Cause Catholick; because you have been reconciled to the Pope, and there was a Law made in the 22d. year of this Queen, that *whosoever was Reconciled to the Pope from the obedience of the Queens Majesty, was in case of Treason*.

*Earl.* My Lord confessed that *Bridges* did confess him, but not reconcile him in any such sort, but only for absolution of his sins.

*Popham.* Mr. *Popham* charged him that he did once submit himself, but since he fell from his submission, and therefore practised new Treasons.

*Earl.* He confessed he was acquainted with the Priests, and by two of them had been absolved and confessed.

*Popham.* Since which time said, Mr. *Popham* he came to the Church, and fell to the



the Catholick Cause again, which he cannot do by their Order, unless he be Reconciled.

My Lord denyed that ever he came to the Church after that time.

There was a Letter sent to the Queen of Scots by *Morgan of France*, in Commendation of two Priests, wherein he saith, one of them had reconciled the Earl of Arundel. *Morgan of France*

*Edmonds* a Priest upon Examination said, that Reconciliation was odious. *Edmonds a Priest.*

My Lord said, these be but Allegations and Circumstances, and that they ought to be proved by two Witnesses. *Earl.*

It was justified he said once in the *Star-Chamber* amongst the Lords there assembled concerning a Libel there in Question, that *whosoever was a Priest or Papist, was an arrant Traytor.*

Mr. *Popham* said, it was a discontentment made my Lord a Catholick, and not Religion; and that he did disguise himself in shadow of Religion. *Popham*

There was a Picture shewed that was found in my Lords Trunk, where in was painted a *Hand bitten with a Serpent*, shaking the Serpent into the fire, about which was written this Poësie, *quis contra nos*; on the other side was painted a *Lyon Rampant*, with his Forces all bloody, with this Poësie, *tamen Leo*: my Lord said, one *Wilgrave* his man gave him the same with a pair of Hangers for a New-years gift. *Picture.*

One *Jonas Meridith* being examined, &c. by way of Communication with a Towns-man, who commended my Lord of Arundel for his forwardness, in that he had often observed my Lord at *Pauls Cross*. *Meridith.*

This *Jonas* answered, that he knew he had often been at *Pauls Cross* in the Fore-noon, and hath heard a Mass with him at the *Charter-house* in the afternoon.

To this my Lord said nothing, but seemed to deny it. *Earl*

My Lord being examined in the Tower of his sudden going away to Sea, he answered, to serve the Prince of Parma; or whither Dr. *Allen* should direct him for the Cause Catholick.

My Lord said also, he was going away for fear of some Statute should be made in the 22d. of this Queens Reign against the Catholicks in that Parliament, and that Dr. *Allen* advised him that he should not come over if he could tarry here in any safety, because he might be the better able to make a Party in England when they came.

Before my Lords going to Sea, he writ a Letter to be given the Queen after he was gone, wherein he found fault with her hard dealing in giving countenance to his Adversaries, and in disgracing him, and that he was discontented with the Injustice of the Realm towards his great Grand-Father, his Grand-Father, and his Father.

My Lord said, *Hollinshead* was faulty, for setting forth in his Chronicle, that his Grand-Father was attainted by Act of Parliament, but shewed no cause wherefore. *Hollinshead.*

He said in his Letter, his Grand-Father was condemned for such trifles, that the people standing by were amazed at it; he found fault also with the proceedings against his Father.

Whereby tis apparent said Mr *Popham*, 'twas discontentment moved my Lord and not Religion; and fearing lest his friends should think amiss of him, he left a Copy of his Letter with *Bridges* a Traytor to be dispersed, to make the Catholicks to think well of him; for said Mr. *Popham*, being discontented, he became a Catholick, and being so great a man he became a Captain of the Catholicks, which is as much as to be a Captain over Traytors. *Popham.*

*A Counterfeit Letter.*

A Counterfeit Letter was made 22 dayes before his going to Sea, directed to one *Baker* at *Linne*, there being no such man abiding, wherein was signified that my Lord was very hardly dealt withal by some of the Council, and that he was gone into *Sussex*, and a farther Voyage, and that he would come home by *Norfolk*.

*Mr. Attorney.*

This was a Counterfeit Letter, said Mr. Attorney, appointed by my Lord to be dispersed, to make it known he was discontented.

Also *Allen* sent a Letter to the Queen of *Scots* in Ciphers, shewing a great party in *England*.

*Allen* sent my Lord word, if he did come over, he must take a greater Title than that of *Earl* upon him, and therefore my Lord in this stile, To *Philip Duke of Norfolk*, *Earl of Arundel*.

*Babington.*

*Babington* in his examination said, the Queen of *Scots* sent him word that the *Earl of Arundel* was a fit man to be a chief Head for the *Catholicks*.

*Allen.*

*Allen* sent word to *Rome*, that the *Bull* which was last sent over into *England*, was at the Intercession of a great man in *England*.

*Popham.*

My Lord (said Mr. *Popham*), was one of the principallest, and acquainted thus far with *Allen*, Ergo, my Lord of *Arundel*, that great man.

*Dr. Allen* made a most villanous and slanderous Book, which was very hard to be got, in which was contained, that the *Earl of Arundel* was a procurer of the last *Bull*, and the procurer of the *Invasion* also; the *Bull* it self was some part read, and the Book was part read also.

*Earl.*

My Lord being charged on his confession, being examined why he would be ruled thus by *Dr. Allen*, he excused it by saying, that he said he would be ruled by *Allen* in all things, saving in that did concern her Majesty and the State, and thereupon appealed to my Lord Chancellor, and Sir *Walter Mildmay*, who were not present.

*Sir Christopher Hatton, Lord Chancellor.*

The Book afore said intended that my Lord was a practiser with *Allen* about the *Invasion*.

*Earl.*

Then said my Lord, he would serve the Queen against all Princes, Pope, or Potentates whatsoever.

*Mr. Solicitor.*

The Queens Solicitor stood upon these points, and because it was proved that the *Earl of Arundel* would be ruled by *Allen* in any thing that should concern the *Catholick Cause*.

And for that *Dr. Allen* hath since that time practised divers monstrous Treasons, and continually hath built upon the help of some chief man in *England*, there is none yet known of his degree, that hath any thing to do with *Allen*, and therefore my Lord must needs be culpable of all the Treasons *Allen* hath practised and procured, in flying to *Allen* to serve the Prince of *Parma*, *ut antea*.

*Proved.*

My Lord was charged with relieving of divers Traytors as Priests, and that he did converse, and was confederate with divers and sundry Traytors attainted, indicted, and suspected, being Prisoners in the Tower, and that he had Mals in the Tower, and that if the *Spaniards* should surprize the Tower, Sir *Owen Hopton* should be put to the Rackhouse,

He was also charged, that divers Papists, Seminaries, and such like, being Prisoners in *New-gate*, and other Prisons, reported that they hoped to see the *Earl of Arundel King* of *England*, and that *Cardinal Allen* should direct the Crown of *England*.

*Proved.*

Before the coming of the *Spaniards* Fleet, when our Commissioners were in the *Low-Countries*, news was brought to the Tower that we should have peace betwixt *Spain* and *England*, then would my Lord of *Arundel* be pensive, When

When the *Spanish Fleet* was upou our Coast, and, *Newes* was brought to the Tower, that the *Spaniards* sped well, then the Earl would be merry.

Then when News came the *English Fleet* sped well, the Earl would be sorry.

Proved.  
Proved

When News came the *Spanish Fleet* was come upon the Coast of *Kent*, my Lord said it is a great *Wood*, and a puissant Fleet, we shall have *lusty play* shortly, I hope we shall *plague them* that have plagued us.

Proved.

My Lord said, he would not *fight* against any that came to fight for the *Catholick Faith*

He said, when the *Spanish Fleet* was at Sea he would have *Three Masses* a day for the happy success of *Spain*.

Proved.  
Continual  
Prayer for  
Spain.

He said also, he would have *continual Prayer without ceasing* for a time, for the good success of *Spain*, viz. he would have every 24 hours 5 Priests to pray two hours a piece for the defect of *Lay-men*, and 14 *Lay-men* to pray every one an *hour a piece* for the happy and fortunate success of *Spain*.

Proved,

He made himself a special *Prayer* for that purpose, and caused Copies thereof in haste to be made.

Proved.

*Mr. Shelley* then Prisoner in the Tower, told my Lord, that to exercise that *Prayer* were dangerous, and wished my Lord to let it alone; Therefore my Lord called for the Copy of the *Prayer* again, and would not have it Copied.

Shelley.

He was charged that he did conjure *Sir Thomas Gerrard Knight* to keep *Counsel* in all these matters before set down, who promised him, he would.

Proved;  
Sir Thomas  
Gerrard.  
Proved.

*Bennet* also promised to keep his *Counsel*, and divers others.

Then were *Sir Thomas Gerrard*, *Mr. Shelly*, *Bennet*, the Priest, and divers others removed from the Tower to several other Prisons, and upon Examination confessed all as aforesaid.

Proved.  
Bennet.  
Prisoners removed.

My Lord hearing all these matters laid hard against him by *Mr. Solicitor*, grew into some *Agony*, and called for his Accusers face to face, which the Learned Counsel did not yet yield unto.

Earl.

He was likewise charged that he came once meerly to *Bennet* the Priest in the Tower, saying, Come *Mr. Bennet*, let us go pray that the *Spaniards* may beat down *London-Bridge*, and promised to give him a *Damask Gown* shortly, and that he hoped to make him *Dean of Pauls* ere it were long; that the time of their delivery was at hand, and willed them in any wise to be secret, for if he should reveal these things, he would deny them to his face.

When News came to the Tower that the *Spanish Fleet* was driven away, my Lord said, *We are all undone*, there is no hope for us this year, and the King of *Spain* cannot provide such a power again this five or six years, some of us may be dead and rotten ere that time.

The Earl is  
sorry for this  
News.

There were then brought into the Court *vivâ voce* upon their several Oaths *Anthony Hall*, and *Richard Young*, a Justice of the Peace, who aimed something by hearsay to the proof of the former matters.

Witnesses.

Also *Sir Thomas Gerrard*, *William Bennet*, *Tuchnon*, *Snoden*, and *Ithel*, and divers others were closely kept in a place over the *Kings Bench*, closed in with *Arras*, and were thereupon severally called into the Court *vivâ voce*, upon their several Oaths to affirm that which is specified before. Since *Mr. Solicitor* began to speak, at this *Marke Bennet* the Priest was charged with a Letter writtento my Lord, wherein he should be sorry for the opening of these matters as aforesaid against my Lord.

Prisoners to  
witness.



Lord Gray.  
Lord Norris.

One *Randal* had writ this Letter in *Bennets* name, by advice of my Lord of *Arundel*, to blind his practises; *Bennet* openly denyed the writing of that Letter; whereupon my Lord *Gray* and my Lord *Norris*, asked *Bennet* if he knew of the Letter, yea or no? for their better evidence *Bennet* confessed he had been moved to such a matter, but he did it not.

Against Sir *Thomas Gerrard* my Lord stood very stoutly in denial of what he witnessed, willing him to *look him in the face*, and charging him as he would answer before God, in whose presence he spoke, to tell nothing of him but Truth: In Answer whereof, Sir *Thomas* referred himself to his Depositions before read, to which he said he was sworn, yea, twice sworn.

Walton, Church,  
and Hill.

There were called into the Court two Witnesses more, viz. one *Walton*, and one *Church*, who justified Letters were brought from *England* to *Rehnes*, where they both were; which Letters were sent by one *Hill*, one of my Lords Faction, that the *Earl of Arundel* should be General of the *Catholicks*, when the *Tower* should be surprized.

To *Walton* my Lord took exception, affirming, that he was a *naughty, leud Fellow*, who had sold that little Land he had to three several men, and of the other Witnesses he said, that some were *attainted*, some *Indicted*, *bad men* and *Prisoners*; and that their words were *worth little credit*.

Popham.

Then said Mr. *Popham*, they were never tortured, but confessed all this willingly, and they are *such* as you have accompanied.

The Jury.

Here ended every man his Speech, and the *Noble-men* and *Peers* of the Jury went together.

My Lord humbly having submitted himself to the consideration of his *Peers*, with protestation of Loyalty, the *Lieutenant* brought him from the *Bar* unto a *Seat* near unto the Court of *Common Pleas*, where the *Warders* attended upon him.

Lord Steward.

My Lord *Steward* likewise withdrew himself a little while, as it seemed to take some *Refectiion*, having all the day for the time of this business forborn to eat any thing, and presently returned to his *Seat of State*.

Within one hour after, the *Noble-men* of the *Jury* came every one back, and were again placed by *Garter King of Heraulds*.

Then Mr. *Sands* asked every man of the *Jury*, severally, beginning at my Lord *Norris*, the youngest *Baron*, and proceeding to my Lord *Treasure* the *Fore-man*, whether the *Prisoner* were guilty, yea, or no.

Verdict.

Which every one of them laying their hands upon their hearts, did protest in their Consciences, and upon their *honours*, that he was guilty.

Then was the *Lieutenant* called to bring his *Prisoner* to the *Bar*, who was brought accordingly, attended as before.

Mr. Sands.

Then said Mr. *Sands* unto him, that he had been indicted of several *Treasons*, and that he had put himself upon the Tryal of his *Peers*, who had found him guilty, and therefore asked why Judgment should not be given against him.

Earl.

Whereupon my Lord making three very low *Obeysances* upon his knees, did humbly submit himself to my Lord *Steward* his Grace, and the favours of the rest of the *Nobles* and *Peers* there present, and besought them to be *Mediators* for him, that he might obtain at her Majesties hands, to have order taken for his *debts*, and to have Conference with his *Officers*, and to talk with his wife, and to see his *Infant*, born after his Imprisonment, whom he had never seen.

Judgment.

Then my Lords Grace pronounced judgment, viz. that he should be conveyed to the place from whence he came, and from thence to the place of Execution,

Execution, and there to be *hanged until he were half dead, his members to be cut off, his bowels to be cast into the Fire, his head to be cut off, his quarters to be divided into four several parts, and to be bestowed in four several places; and so (said my Lord Steward) the Lord have mercy on thy Soul.*

To this the Earl of *Arundel* said, as it were softly to himself, *Fiat voluntas Dei.* And so having made a low Obeysance to the State, the *Lieutenant* took him away, *Mr. Shelton* going before him with the Edge of the Axe towards him.

Then was there an *O Yes* made by the *Serjeant at Arms*, and the Court, together with my Lord Stewards Commission dissolved; which done, my Lord of *Darby* took the *whitewand* out of *Mr. Winckfields* hand, and broke the same in pieces, and every man cried, *God save the Queen.*

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**FINIS.**

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